

Hobbes's Translation

O F

Aristotle's ART

O F

R H E T O R I C K .

A NEW EDITION.

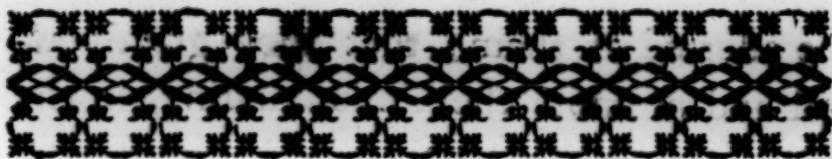
With Alterations, and a new PREFACE by
a GENTLEMAN.

L O N D O N :

Printed for M. THRUSH, at the *King's-Arms*,
Salisbury-Court, Fleet-Street.

MDCCLIX.





P R E F A C E.

I HAVE often thought it would be a task not unworthy the publick favour; if, as among plays from time to time some old ones are reviv'd, so among books; such as were neglected only on account of their antiquity, were to be restor'd to light.

Among these, the following treatise of Rhetorick done from *Aristotle*, by the famous Mr. *Hobbes*, seems to deserve a place; at this time more especially, when Oratory is so much courted, and is become the universal study of our youth.

I would not pretend that an Orator, any more than a Poet, can be form'd by rules. If nature has not been kind, all labour must be vain. Yet so much I think may

be asserted of them; that they greatly assist and promote the Understanding, in the acquisition of the art they would illustrate.

*Doctrina sed vim promovet insitam,
Reſtique cultus peſtora roborant.*

I will not expatiate on the great merits either of the author or his tranſlator. Neither of them ſtand in need of it. There is one part of this Work however peculiarly admirable, and which I cannot paſs over entirely in ſilence. I need not inform the intelligent reader, that I mean the ſecond book; wherein he treats of the ſeveral ways of handling the different manners and paſſions of mankind.

One thing that ſeems to have brought all treatiſes of this kind into contempt, is, that a proper attention is ſeldom paid to them, but they are laid aſide as ſoon as read: Whereas, to reap the full advantage from them, it is neceſſary not only to read, but to ſtudy them: nor yet ſtop here; but reduce them to practice. For, as Mr. *Locke* ſays,

says, “ No body is made any thing by hearing of rules, or laying them up in his memory ; PRACTICE must settle the habit of doing, without reflecting on the RULE.

But if this should be too much trouble for the student ; let him view with diligence the use made of them by the Orators themselves, and he will find them, an excellent *Comment* on each other.

It must be own'd indeed, that the Orators themselves are the best teachers ; the masters, from whom we are likely to reap the greatest profit and advantage : it being impossible to read them with taste and attention, and not acquire somewhat of their stile and manner.

I am here almost tempted to draw a parallel between the two great Orators of antiquity, *Demosthenes* and *Tully*. Nor do I think I could resist it, were not my sentiments on this head already delineated by a hand * so much more masterly than mine, that I dare not take the Pencil after him.

Fenelon, in his essay on Eloquence.

One thing, however, I must say. That the art of *Tully* is often too visible : that he is sometimes over florid and elaborate : that he is himself too apparent in his Oration, and abstracts in some degree the reader's attention from the subject itself. Whereas in *Demosthenes*, the Orator is entirely lost, and *Philip* occupies the whole mind. Let me add likewise, that the Eloquence of the latter, seems to me to be of a more universal nature than the former ; better calculated to succeed in all places, and at all times, and peculiarly adapted to a *British* Senate.

But as in painting, we should not propose one only original, as a fit object for our imitation ; so here, both may be studied with advantage. Since by compounding the different excellencies of the two, we may, (perhaps) steal a grace beyond the reach of either.

I would here endeavour to enforce one thing, which I think absolutely necessary to complete an Orator : a firm and unspotted

ted

ted integrity. I know there are, who laugh at honesty, and miscall it, Folly. But surely, since it is impossible to ACT a part always ;---for ever to wear the mask, cunning must be esteemed (if such at all) but a short sighted wisdom. Capable perhaps to shift off an evil for the present, but never able entirely to remove it.

And that this axiom, is not the product of an heated fancy, or enthusiastic pride, will, I think, be evident to a demonstration, upon the bare reflection of the end propos'd, which is---to persuade.

The necessity of an honest character, as a means to attain this end, is so plain, that to offer any arguments in defence of it, were a folly. Barely to point it out, is (in my mind) sufficiently to prove it.

I shall take the liberty to conclude with the following words of the ingenious Mr. *Despreaux*, who speaking of *Cassandre's* translation of this work says, after many other great encomiums,

“ C'est un ouvrage d'une extrême utilité : & pour moi j'avouë franchement
que

“ que sa lecture m’a plus profité que tout
 “ ce que j’ai jamais lû en ma vie.”

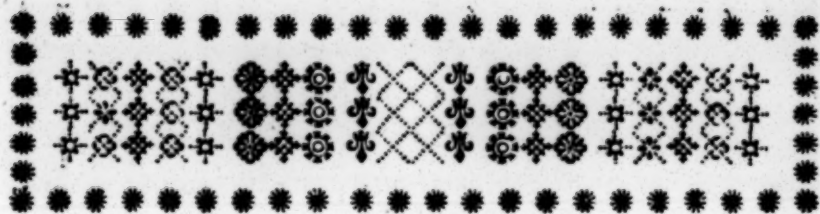
I hope the reader will not find them entirely unapplicable to the work before him.

THE EDITOR.

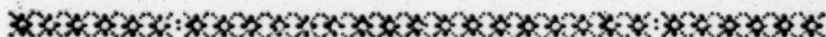
Before I dismiss the reader, I shall beg leave to inform him, That, I know but of one translation of this part of *Aristotle* in our language; which is so obscure and difficult to understand, that I must beg leave to apply to that, what Mr. *D’Ablancourt* has said with so much propriety of the *Latin* translations.

Take it in his own words---

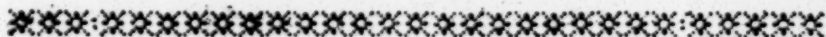
“ Je soutiens qu’ Aristote est beaucoup plus clair chez lui, que chez le traducteurs Latins, & que souvent il faut lire l’original pour entendre la version.



THE
ART of RHETORICK.

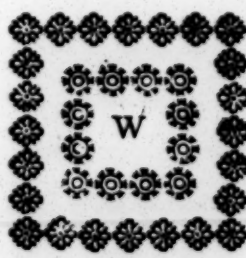


BOOK I.



CHAP. I.

That Rhetorick is an art consisting not only in moving the passions of the judge; but chiefly in proofs. And that this art is profitable.

 WE see that all men naturally are able in some sort to *accuse* and *excuse*: Some by *chance*; but some by *method*. This *method* may be discovered; and to discover *method* is all one with teaching an *art*. If this *art* consisted in criminations only, and the skill to stir up the judge's *anger*, *envy*, *fear*,
B pity,

pity, or other *affections*; a *Rhetorician*, in well ordered commonwealths and states, where it is forbidden to digress from the cause in hearing, could have nothing at all to say. For all these perversions of the judge are beside the question. And that which the pleader is to shew, and the judge to give sentence on, is this only: 'Tis *so*; or *not so*. The rest hath been decided already by the law-maker; who judging of universals, and future things, could not be corrupted. Besides, 'tis an absurd thing for a man to make crooked the ruler he means to use.

It consisteth therefore chiefly in *proofs*; which are *inferences*; and all *inferences* being⁽¹⁾ *sylogisms*, a *Logician*, if he would observe the difference between a plain *sylogism*, and an⁽²⁾ *enthymeme*, (which is a *rhetorical sylogism*) would make the best *Rhetorician*: For all *sylogisms* and *inferences* belong properly to *Logick*; whether they infer truth or probability: And because without this *art* it would often come to pass, that evil men by the advantage of natural abilities, would carry an evil cause against a good; it brings with it at least this profit, that making the pleaders even in skill, it leaves the odds only in the merits of the cause. Besides, ordinarily those that are judges, are neither patient, nor capable of long *scientific proofs*, drawn from the *principles* through many *sylogisms*; and therefore had need to be instructed by the *rhetorical*, and shorter way. Lastly, it were ridiculous to be ashamed of being vanquished in exercises of

(1) a kind of Argument or Reasoning

(2) an imperfect kind of Argument or Reasoning lacking the Major or Minor the

the body, and not to be ashamed of being inferior in the virtue of well expressing the mind.



C H A P. II.

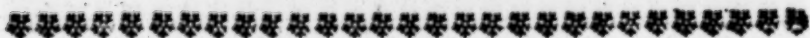
The Definition of Rhetorick.

RHetorick is that faculty by which we understand what will serve our turn, concerning any subject to win belief in the hearer.

Of those things that beget belief, some require not the help of art; as *witnesses, evidences*, and the like, which we invent not, but make use of; and some require art, and are invented by us.

The belief that proceeds from our invention, comes partly from the *behaviour* of the *speaker*; partly from the *passions* of the *bearer*; but especially from the *proofs* of what we alledge.

Proofs are, in *Rhetorick*, either *examples*, or *enthymemes*, as in *Logick*, *inductions*, or *sylogisms*. For an *example* is a short *induction*, and an *enthymeme* a short *sylogism*; out of which are left as superfluous, that which is supposed to be necessarily understood by the hearer; to avoid prolixity, and not to consume the time of publick business needlessly.



C H A P. III.

Of the several kinds of orations : And of the principles of Rhetorick.

IN all *orations*, the hearer does either hear only ; or judge also.

If he hear only, that's one kind of *oration* ; and is called *demonstrative*.

If he judge, he must judge either of that which is to come ; or of that which is past.

If of that which is to come, that's another kind of *oration*, and is called *deliberative*.

If of that which is past ; then 'tis a third kind of *oration*, called *judicial*.

So there are three kinds of *orations* : *Demonstrative*, *judicial*, *deliberative*.

To which belong their proper times. To the *demonstrative*, the *present* ; to the *judicial*, the *past* ; and to the *deliberative*, the *time to come*.

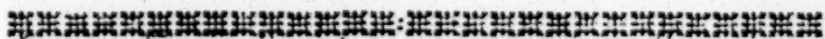
And their proper offices. To the *deliberative*, *exhortation* and *dehortation* ; to the *judicial*, *accusation* and *defence* ; and to the *demonstrative*, *praising* and *dispraising*.

And their proper ends. To the *deliberative*, to prove a thing *profitable*, or *unprofitable* ; to the *judicial*, *just*, and *unjust* ; to the *demonstrative*, *honourable* or *dishonourable*.

The *principles* of *Rhetorick* out of which *enthymemes* are to be drawn, are the *common opinions* that men have concerning *profitable* and *unprofitable*,
table,

table, just and unjust, honourable and dishonourable, which are the points in the several kinds of orations questionable. For as in Logick, where certain and infallible knowledge is the scope of our proof, the principles must be all infallible truths; so in Rhetorick the principles must be common opinions, such as the judge is already possessed with; because the end of Rhetorick is victory, which consists in having gotten belief.

And because nothing is *profitable, unprofitable, just, unjust, honourable, dishonourable*, but what has been *done*, or is *to be done*; and nothing is *to be done* that is not *possible*; and because there be degrees of *profitable, unprofitable, just, unjust, honourable and dishonourable*, an orator must be ready in other *principles*; namely, of what is *done* and not *done*, *possible* and not *possible*, *to come* and not *to come*, and what is *greater* and what is *lesser*, both in general and particularly applied to the thing in question; as what is *more* and *less*, generally, and what is *more profitable* and *less profitable*, &c. particularly.



CHAP. IV,

Of the subject of deliberatives, and the abilities that are required of him that will deliberate of business of state.

IN *deliberatives* there are to be considered the *subject* wherein, and the *ends* whereto, the Orator exhorteth, or from which he dehortheth.

The *subject* is always something in our own power, the knowledge whereof belongs not to *Rhetorick*, but for the most part to the *politicks*; and may be referred in a manner to these five heads.

1. *Of levying of money.* To which point he that will speak as he ought to do, ought to know before-hand the revenue of the state, how much it is, and wherein it consisteth; and also how great are the necessary charges and expences of the same. This knowledge is gotten partly by a man's own experience, partly by relations, and accounts in writing.

2. *Of peace and war.* Concerning which the counsellor or deliberator ought to know the strength of the commonwealth; how much it both now is and hereafter may be, and wherein that power consisteth; which knowledge is gotten partly by experience and relations at home, and partly by the sight of wars and of their events abroad.

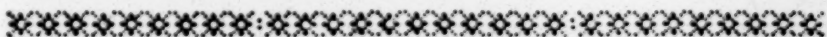
3. *Of the safeguard of the country.* Wherein he only is able to give counsel that knows the forms, and number, and places of the garrisons.

4. *Of provision.* Wherein to speak well, it is necessary for a man to know what is sufficient to maintain the state; what commodities they have at home growing; what they must fetch in through need; and what they may carry out through abundance.

5. *Of making laws.* To which is necessary so much *political* or *civil philosophy*, as to know what

what are the several kinds of governments, and by what means, either from without or from within, each of those kinds is preserved or destroyed; and this knowledge is gotten partly by observing the several governments in times past, by *history*, and partly by observing the government of the times present in several nations, by *travel*.

So that to him that will speak in a council of state, there is necessary this: *History, sight of wars, travel, knowledge of the revenue, expences, forces, havens, garrisons, wares and provisions*, in the state he lives in, and what is needful for that state either to *export* or *import*.



C H A P. V.

Of the ends which the orator in deliberatives propoundeth, whereby to exhort or dehort.

AN orator in *exhorting* always propoundeth *felicity*, or some part of *felicity*, to be attained by the actions he exhorteth unto; and in *dehortation* the contrary.

By *felicity* is meant commonly *prosperity with virtue*, or a *continual content of the life with security*; and the parts of it are such things as we call *good*, in body, mind or fortune: Such as these that follow.

1. *Nobility*, which to a state or nation is, *to have been ancient inhabitants, and to have had most antiently, and in most number, famous generals in the wars,*

or men famous for such things as fall under emulation; and to a private man, to have been descended lawfully of a family, which hath yielded most antiently, and most in number, men known to the world for virtue, riches, or any thing in general estimation..

2. *Many and good children.* Which is also publick and private. Publick, when there is much youth in the state endued with virtue (namely, of the body, stature, beauty, strength and dexterity; of the mind, valour and temperance.) Private, when a man hath many such Children, both male and female. The virtues commonly respected in women, are of the body, beauty and stature; of the mind, temperance and houswifry without fordidness.

3. *Riches.* Which is, money, cattel, lands, household-stuff, with the power to dispose of them,

4. *Glory.* Which is, the reputation of virtue, or of the possession of such things as all, or most men, or wise men desire.

5. *Honour.* Which is, the glory of benefiting or being able to benefit others. To benefit others, is to contribute somewhat, not easily had, to another man's safety and riches. The parts of honour are sacrifices, monuments, rewards, dedication of places, precedence, sepulcres, statues, publick pensions, adorations, presents.

6. *Health.* Which is, the being free from diseases, with strength to use the body.

7. *Beauty.* Which is to different ages different. To youth, strength of body and sweetness of aspect.

aspect. To full men, strength of body fit for the wars, and countenance sweet, with a mixture of terror. To old men, strength enough for necessary labours, with a countenance not displeasing.

8. *Strength.* Which is, the ability to move any thing at pleasure of the mover. To move, is to pull, to put off, to lift, to thrust down, to press together.

9. *Stature.* Which is then just, when a man in height, breadth, and thickness of body doth so exceed the most, as nevertheless it be no hindrance to the quickness of his motion.

10. *Good old age.* Which is, that which comes late and with least trouble.

11. *Many and good friends.* Which is, to have many that will do for his sake that which they think will be for his good.

12. *Prosperity.* Which is, to have all, or the most, or the greatest of those goods which we attribute to Fortune.

13. *Virtue.* Which is then to be defined when we speak of praise.

These are the grounds from which we *exhort*. *Dehortation* is from the contraries of these.



C H A P. VI.

Of the colours or common opinions concerning good and evil.

IN *deliberatives*, the *principles* or *elements* from whence we draw our *proofs* are *common opinions* concerning *good* and *evil*; and these *principles* are either *absolute* or *comparative*; and those that are *absolute* are either *disputable* or *indisputable*.

The *indisputable principles* are such as these:

Good, is that which we love for itself.

And that for which we love somewhat else.

And that which all things desire.

And that to every man which his reason dictates.

And that, which when we have, we are well, or satisfied.

And that which satisfies.

And the cause and effect of any of these

And that which preserves any of these.

And that which keeps off, or destroys the contrary of any of these.

Also to take the *good* and reject the *evil* is *good*.

And to take the greater *good* rather than the less, and the lesser *evil* rather than the greater.

Further, all virtues are *good*.

And

And pleasure.

And all things beautiful.

And justice, valour, temperance, magnanimity, magnificence, and other like habits.

And health, beauty, strength, &c.

And riches.

And friends.

And honour and glory.

And ability to say or do ; also towardliness, will, and the like.

And whatsoever art or science.

And life.

And whatsoever is just.

The *disputable principles* are such as follow.

That is *good*, whose contrary is *evil*.

And whose contrary is *good* for our enemies.

And whose contrary our enemies are glad of.

And of which there cannot be too much.

And upon which much labour and cost hath been bestowed.

And that which many desire.

And that which is praised.

And that which even our enemies and evil men praise.

And what good we prefer.

And what we do advise.

And that which is possible is *good* (to undertake.)

And that which is easy.

And that which depends on our own will.

And that which is proper for us to do.

And what no man else can do.

And

And whatsoever is extraordinary.

And what is suitable.

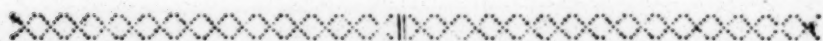
And that which wants a little of being at an end.

And what we hope to master.

And what we are fit for.

And what evil men do not.

And what we love to do.



C H A P. VII.

Of the colours or common opinions concerning good and evil, comparatively.

THE colours of good comparatively depend partly upon the following definitions of comparatives.

1. *More*, is *so much and somewhat besides*.
2. *Less*, is *that, which and somewhat else is so much*.
3. *Greater and more in number* are said only comparatively to *less*, and *fewer in number*.
4. *Great and little, many and few*, are taken comparatively to the *most of the same kind*; so that *great and many* is that which exceeds; *little and few* is that which is exceeded by most of the same kind.

Partly from the precedent Definitions of good absolutely.

Common

Common opinions concerning good, comparatively then are these.

Greater good is many than fewer, or one of those many.

And *greater* is the kind, in which the greatest is greater than the greatest of another kind; and *greater* is that *good* than another good, whose kind is *greater* than another's kind.

And *greater* is that from which another *good* follows; then the *good* which follows.

And of two which exceed a third; *greater* is that which exceeds it most.

And that which causes the *greater good*.

And that which proceeds from a *greater good*,

And *greater* is that, which is chosen for itself, than that which is chosen from somewhat else.

And the end *greater* than that which is not the end.

And that which less needs other things than that which more.

And that which is independent, than that which is dependent of another.

And the beginning than not the beginning.

[Seeing the beginning is a *greater good* or *evil* than that which is not the beginning, and the end, than that which is not the end; one may argue from this *colour* both ways; as *Leontimas* against *Chabrias*, would have the actor more to blame than the advisor; and against *Callistratus*, the advisor more than the actor.]

And the cause than not the cause.

And

And that which hath a *greater* beginning or cause.

And the beginning or cause of a *greater good* or *evil*.

And that which is scarce, *greater* than that which is plentiful; because harder to get

And that which is plentiful, than that which is scarce; because oftner in use.

And that which is easy, than that which is hard.

And that whose contrary is *greater*.

And that whose want is *greater*.

And virtue than not virtue, a *greater good*; vice, than not vice, a *greater evil*.

And *greater good* or *evil* is that, the effects whereof are more honourable or more shameful.

And the effects of *greater* virtues or vices.

And the excess whereof is more tolerable, a *greater good*.

And those things which may with more honour be desired.

And the desire of better things.

And those things whereof the knowledge is better.

And the knowledge of better things.

And that which wise men prefer.

And that which is in better men.

And that which better men chuse.

And that which is more, than that which is less delightful.

And that which is more than that which is less honourable.

And

And that which we would have for ourselves and friends, a *greater good*; and the contrary a *greater evil*.

And that which is lasting, than that which is not lasting.

And that which is firm, than that which is not firm.

And what many desire, than what few.

And what the adversary, or judge confesseth to be *greater*, is *greater*.

And common than not common.

And not common than common.

And what is more laudable.

And that which is more honoured, a *greater good*.

And that which is more punished, a *greater evil*.

And both *good* and *evil*, divided than undivided, appear *greater*.

And compounded than simple appear *greater*.

And that which is done with opportunity, age, place, time, means disadvantagious, *greater* than otherwise.

And that which is natural, than that which is attained unto.

And the same part of that which is great, than of that which is less.

And that which is nearest to the end designed.

And that which is *good* or *evil* to one's self, than that which is simply so.

And possible, than not possible.

And

And that which comes toward the end of our life.

And that which we do really, than that which we do for shew.

And that which we would be, rather than what we would seem to be.

And that which is good for more purposes is the *greater good*.

And that which serves us in great necessity.

And that which is joined with less trouble.

And that which is joined with more delight.

And of the two, that which added to a third makes the whole the greater.

And that which having, we are more sensible of.

And in every thing, that which we most esteem.



C H A P. VIII.

Of the several kinds of government.

BEcause *hortation* and *dehortation* concern the commonwealth, and are drawn from the *elements* of *good* and *evil*, as we have spoken of them also in the *abstract*, so we must also speak of them in the *concrete*; that is, of what is *good* or *evil* to each sort of common-wealth in special.

The government of a common-wealth is either *democracy* or *aristocracy*; *oligarchy* or *monarchy*.

De-

Democracy is that, wherein all men with equal right, are preferred to the highest magistracy by lot.

Aristocracy is that, wherein the highest magistrate is chosen out of those that had the best education, according to what the laws prescribe for best.

Oligarchy is that, where the highest magistrate is chosen for wealth.

Monarchy is that, wherein one man hath the government of all; which *government*, if he limit it by law, is called *kingdom*; if by his own will *tyranny*.

The end of *Democracy*, or the people's government, is *liberty*.

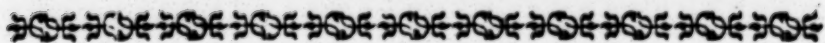
The end of *oligarchy*, is *the riches of those that govern*.

The end of *aristocracy*, is *good laws, and good ordering of the city*.

The end of *monarchy*, or *kings*, is *the safety of the people, and conservation of his own authority*.

Good therefore, in each sort of *government*, is that which conduceth to these their ends.

And because *belief* is not gotten only by *proofs*, but also from *manners*; the *manners* of each sort of commonwealth ought to be well understood by him that undertaketh to persuade, or dissuade in matter of state. Their *manners* may be known by their *designs*, and their *designs* by their *ends*, and their *ends* by what we see them take *pleasure* in: But of this more accurately in the *politicks*.



C H A P. IX.

Of the colours of honourable and dishonourable.

IN a *demonstrative oration*, the subject whereof is *praise* or *dispraise*, the *proofs* are to be drawn from the *clements* of *honourable* and *dishonourable*.

In this place we anticipate the second way of getting *belief*; which is from the *manners* of the speaker. For *praise*, whether it come in as the principal business, or upon the by, depends still upon the same *principles*: Which are these.

Honourable, is that which we love for itself, and is withall laudable.

And that good, which pleaseth us only because it is good.

And virtue.

Virtue is the faculty of getting and preserving that which is good, and the faculty of doing many, and great things well.

The kinds of it are these:

1. *Justice*; which is a *virtue* whereby every man obtains what by law is his.

2. *Fortitude*; which is a *virtue* by which a man carries himself *honourably*, and according to the laws, in time of danger.

3. *Temperance*; which is a *virtue* whereby a
man

man governs himself in matters of pleasure according to the law.

4. *Liberality*; which is a *virtue* by which we benefit others in matter of money.

5. *Magnanimity*; which is a *virtue* by which a man is apt to do great benefits.

6. *Magnificence*; which is a *virtue* by which a man is apt to be at great cost.

7. *Prudence*; which is an *intellectual virtue*, by which a man is able to deliberate well concerning any *good* leading to *felicity*.

And *honourable*, are the causes and effects of things *honourable*.

And the works of virtue.

And the signs of virtue.

And those actions, the reward whereof is *honour*.

And the reward whereof is rather *honour*, than money.

And that which we do not for our own sakes.

And what we do for our countries good, neglecting our own.

And those things are *honourable*, which good of themselves, are not so to the owner.

And those things which happen to the dead, rather than to the living.

And what we do for other men, especially for benefactors.

And bestowing of benefits.

And the contrary of those things we are ashamed of.

And those things which men strive for earnestly, but without fear of adversary.

And of the more *honourable* and better man, the virtues are more *honourable*.

And more *honourable* are the virtues that tend to other mens benefit, than those which tend to ones own.

And *honourable* are those things which are just.

And revenge is *honourable*.

And victory.

And *honour*.

And monuments.

And those things which happen not to the living.

And things that excel.

And what none can do but we.

And possessions we reap no profit by.

And those things which are had in honour, particularly in several places.

And the signs of praise.

And to have nothing of the servile, mercenary, or mechanick.

And that which seems *honourable*; namely, such as follow :

Vices confining upon virtue.

And the extreams of virtue.

And what the auditors think *honourable*.

And that which is in estimation.

And that which is done according to custom.

Besides, in a *demonstrative oration*, the orator must shew that he whom he praiseth, did what he praiseth unconstrainedly and willingly.

And

And he does so, who does the same often.

Praise, is speech, declaring the magnitude of a *virtue*, *action* or *work*.

But to praise the work from the virtue of the worker, is a circular proof.

To *magnify*, and to *praise*, differ in themselves, as *felicity* and *virtue*; for *praise* declares a man's *virtue*, and *magnifying* declares his *felicity*.

Praise is a kind of inverted *precept*. For to say, *Do it because 'tis good* is a *precept*. But to say, *He is good because he did it*, is *praise*.

An orator in *praising* must also use the forms of *amplification*; such as these:

He was the first that did it.

The only man that did it.

The special man that did it.

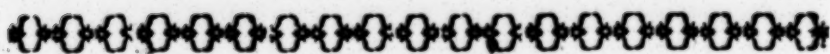
He did it with disadvantage of time.

He did it with little help.

He was the cause that the law ordained rewards and honours for such actions.

Further, he that will *praise* a man must compare him with others, and his actions with the actions of others, especially with such as are renowned.

And *amplification* is more proper to a *demonstrative oration* than to any other; for here the actions are confessed, and the orator's part is only this; to contribute unto them magnitude and lustre.



C H A P. X.

Of accusation and defence, with the definition of injury.

IN a *judicial oration*, which consists in *accusation* and *defence*, the thing to be proved is, that *injury* has been done; and the heads from whence the proofs are to be drawn are these:

1. The causes that moves to *injury*.
2. The persons apt to do *injury*.
3. The persons obnoxious, or apt to suffer *injury*.

An *injury* is a voluntary offending of another man contrary to the law.

Voluntary is that which a man does with knowledge, and without compulsion.

The causes of *voluntary* actions are intemperance, and a vicious disposition concerning things desirable: As the covetous man does against the law out of an intemperate desire of money.

All actions proceed either from the doer's disposition, or not.

Those that proceed not from the doer's disposition are such as he does by *chance*, by *compulsion*, or by *natural necessity*.

Those that proceed from the doer's disposition, are such as he does by *custom*, or upon *premeditation*, or in *anger*, or out of *intemperance*.

By

By chance are said to be done those things whereof neither the cause nor the scope is evident; and which are done neither orderly, nor always, nor most commonly after the same manner.

By Nature are said to be done those things, the causes whereof are in the doer, and are done orderly, and always, or for the most part after the same manner.

By compulsion are done those things which are against the appetite, and ordination of the doer.

By custom those actions are said to be done the cause whereof is this, that the doer has done them often.

Upon premeditation are said to be done those things which are done for profit, as the end, or the way to the end.

In anger are said to be done those things which are done with a purpose of revenge.

Out of intemperance are said to be done those things which are delightful.

In sum, every voluntary action tends either to *profit* or *pleasure*.

The *colours of profitable* are already set down.

The *colours of that which is pleasing* follow next.



C H A P. XI.

Of the colours or common opinions concerning pleasure.

*P*Leasure is a sudden and sensible motion of the soul towards that which is natural.

Grief is the contrary.

Pleasant therefore is that, which is the cause of such motion.

And to return to one's own nature.

And customs.

And those things that are not violent.

Unpleasant are those things which proceed from necessity, as cares, study, contentions; the contrary whereof, ease, remission from labour and care; also play, rest, sleep, are *pleasant*.

Pleasant also is that, to which we have an appetite.

Also the appetites themselves, if they be sensual; as thirst, hunger and lust.

Also those things to which we have an appetite upon persuasion and reason.

And those things we remember, whether they pleased or displeased, then, when they were present.

And the things we hope for.

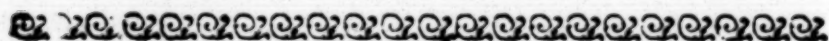
And anger.

And

And to be in love.
And revenge.
And victory. Therefore,
Also contentious games, as tables, chess, dice,
tennis, &c.
And hunting.
And suits in law.
And honour and reputation amongst men in
honour and reputation.
And to love.
And to be beloved and respected.
And to be admired.
And to be flattered.
And a flatterer: (for he seems both to love
and admire.)
And the same thing often.
And change or variety.
And what we return to afresh.
And to learn.
And to admire.
And to do good.
And to receive good.
And to help up again one that is fallen.
And to finish that which is imperfect.
And imitation.
And therefore the art of painting.
And the art of carving images.
And the art of poetry.
And pictures and statues.
And other mens dangers, so they be near.
And to have escaped hardly.
And things of a kind *please* one another.

And

And every one himself.
 And one's own *pleases* him.
 And to bear sway.
 And to be thought wise.
 And to dwell upon that which he is good at.
 And ridiculous actions, sayings and persons.



C H A P. XII.

Presumptions of injury drawn from the persons that do it; or common opinions concerning the aptitude of persons to do injury.

OF the causes which move to *injury*, namely, *profit* and *pleasure*, has been already spoken, chap. 6. 7. 11.

It follows next to speak of the *persons* that are apt to *do injury*.

The *doers of injury* are :

Such as think they can do it.

And such as think to be undiscovered when they have done it.

And such as think, though they be discovered, they shall not be called in question for it.

And such as think, though they be called in question for it, that their mulct will be less than their gain, which either themselves or their friends receive by the *injury*.

Able to do injury are.

Such as are eloquent.

And

And such as are practised in business.

And such as have skill in process.

And such as have many friends.

And rich men.

And such as have rich friends, or rich servants, or rich partners.

Undiscovered when they have done it, are :

Such as are not apt to commit the crimes whereof they are accused, as feeble men, slaughter; poor, and not beautiful men, adultery.

And such as one would think could not chuse but be discovered.

And such as do *injuries*, whereof there hath been no example.

And such as have none, or many enemies.

And such as can easily conceal what they do.

And such as have somebody to transfer the fault upon.

They that do *injury openly*, are :

Such, whose friends have been *injured*.

And such as have the judges for friends.

And such as can escape their trial at law.

And such as can put off their trial.

And such as can corrupt the judges.

And such as can avoid the payment of their fine.

And such as can defer the payment.

And such as cannot pay at all.

And such as by the *injury* get manifestly, much and presently; when the fine is uncertain, little and to come.

And such as get by the *injury*, money; by the penalty, shame only.

And

And such on the contrary, as get honour by the *injury*, and suffer the mulct of money only, or banishment, or the like.

And such as have often escaped, or been undiscovered.

And such as have often attempted in vain.

And such as consider present pleasure, more than pain to come; and so intemperate men are apt to do *injury*.

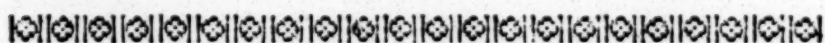
And such as consider pleasure to come more than present pain; and so temperate men are apt to do *injury*.

And such as may seem to have done it by fortune, nature, necessity, or custom; and by error rather than by injustice.

And such as have means to get pardon.

And such as want necessities, as poor men; or unnecessaries, as rich men.

And such as are of very good or very bad reputation.



C H A P. XIII.

Presumptions of injury drawn from the persons that suffer, and from the matter of the injury.

OF those that do *injury*, and why they do it, it hath been already spoken.

Now of the persons that suffer, and of the *matter* wherein they suffer, the *common opinions* are these:

Persons obnoxious to injury are:

Such as have the things that we want, either as necessary, or as delightful.

And

And such as are far from us.

And such as are at hand.

And such as are unwary and credulous.

And such as are lazy.

And such as are modest.

And such as have swallowed many *injuries*.

And such as we have *injured* often before.

And such as never before

And such as are in our danger.

And such are ill beloved generally.

And such as are envied.

And our friends.

And our enemies.

And such as, wanting friends, have no great ability either in speech or action.

And such as shall be losers by going to law ; as strangers and workmen.

And such as have done the *injuries* they suffer.

And such as have committed a crime, or would have done, or are about to do.

And such as, by doing them an *injury*, we shall gratify our friends or superiors.

And such whose friendship we have newly left, and accuse.

And such as another would do *injury* to, if we should not.

And such as by *injuring*, we get greater means of doing good.

The *matters* wherein men are obnoxious to *injury* are :

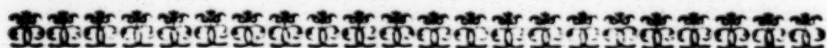
Those things wherein all, or most men use to deal unjustly.

And

And those things which are easily hid, and put off into other hands, or altered.

And those things which a man is ashamed to have suffered.

And those things wherein prosecution of injury, may be thought a love of contention.



C H A P. XIV.

Of those things which are necessary to be known for the definition of just and unjust.

WHEN the fact is evident, the next inquiry is, whether it be *just* or *unjust*.

For the definition of *just* and *unjust* we must know what *law* is ; that is, what the *law of nature*, what the *law of nations*, what the *law civil*, what *written law*, and what *unwritten law*, is ; and what *persons*, that is, what a *publick person* or *the city* is, and what a *private person* or *citizen* is.

Unjust, in the opinion of all men, is that which is contrary to the *law of nature*.

Unjust, in the opinion of all men of those nations which traffick and come together, is that which is contrary to the *law common to those nations*.

Unjust, only in one commonwealth, is that which is contrary to the *law civil*, or law of that commonwealth.

He

He that is accused to have done any thing against the *publick*, or a *private person*, is accused to do it either *ignorantly*, or *unwillingly*, or in *anger*, or upon *premeditation*.

And because the defendant does many times confess the *fact*, but deny the *unjustice*; as that he *took*, but did not *steal*; and *did*, but not *adultery*; it is necessary to know the definitions of *theft*, *adultery*, and all other crimes.

What facts are contrary to the *written laws*, may be known by the *laws themselves*.

Besides *written laws*, whatsoever is *just*, proceeds from *equity* or *goodness*.

From *goodness* proceeds that which we are praised or honoured for.

From *equity* proceed those actions, which tho' the *written law* command not, yet being interpreted reasonably, and supplied, seems to require at our hands.

Actions of *equity* are such as these :

Not too rigorously to punish errors, mischances or injuries.

To pardon the faults that adhere to mankind.

And not to consider the *law*, so much as the *law-maker's mind*; and not the *words*, so much as the *meaning of the law*.

And not to regard the fact, so much as the intention of the doer; nor part of the fact, but the whole; nor what the doer *is*, but what he *has been* always, or for the most part.

And to remember better the good received, than the ill.

And

And to endure injuries patiently.

And to submit rather to the sentence of a judge, than of the sword.

And to the sentence of an arbitrator, rather than of a judge.

CHAP. XV.

Of the colours or common opinions concerning injuries comparatively.

Common opinions concerning injuries comparatively are such as these :

Greater is the *injury* which proceeds from greater iniquity.

And from which proceedeth greater damage.

And of which there is no revenge.

And for which there is no remedy.

And by occasion of which he that hath received the *injury* hath done some mischief to himself.

He does the greater *injury* that does it first, or alone, or with a few.

And he that does it often.

Greater *injury* is that, against which laws and penalties were first made.

And that which is more brutal, or more approaching to the actions of beasts.

And that which is done upon more premeditation.

And

And by which more laws are broken.

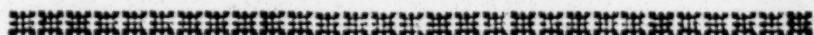
And which is done in the place of execution.

And which is of greatest shame to him that receives the *injury*.

And which is committed against well deservers.

And which is committed against the *unwritten law*; because good men should observe the law for justice, and not for fear of punishment.

And which is committed against the *written law*; because he that will do *injury*, neglecting the penalty set down in the *written law*, is much more likely to transgress the *unwritten law*, where there is no penalty at all.



C H A P. XVI.

Of proofs inartificial.

OF *artificial proofs* we have already spoken. *Inartificial proofs*, which we invent not, but make use of, are of five sorts.

1. *Laws*. And those are *civil* or *written law*; the *law* or *custom of nations*; and the *universal law of nature*.

2. *Witnesses*. And those are such as concern *matter*, and such as concern *manners*; also they may be *ancient* or *present*.

3. *Evidences* or writings.

4. *Question* or torture.

D

5. *Oaths*.

5. *Oaths.* And those be either *given* or *taken*, or both, or neither.

1. *Law.* For *laws*, we use them thus :

When the *written law* makes against us, we appeal to the *law of nature*, alledging,

That to be the greatest justice, which is the greatest equity.

That the *law of nature* is immutable, the *written law* mutable.

That the *written law* is but seeming justice, the *law of nature* very justice ; and justice is among those things which are, and not which seem to be.

That the judge ought to discern between true and adulterate justice.

That they are better men that obey *unwritten*, than *written laws*.

That the *law* against us does contradict some other *law* ; and when the *law* has a double interpretation, that is the true one which makes for us.

And that the cause of the *law* being abolished, the *law* is no more of validity.

But when the *written law* makes for us, and *equity* for the adversary, we must alledge,

That a man may use *equity*, not as a liberty to judge against the *law*, but only as a security against being forsworn, when he knows not the *law*.

That men seek not *equity* because it is good simply, but because good for them.

That

That it is the same thing not to make, and not to use the *law*.

That, as in other arts, and namely in *physick*, fallacies are pernicious; so in a commonwealth it is pernicious to use pretexts against the *law*.

And that in commonwealths well instituted, to seem wiser than the *laws*, is prohibited.

2. Witnesses. For *witnesses* we must use them thus :

When we have them not, we must stand for *presumptions*, and say,

That in *equity* sentence ought to be given according to the most probability.

That *presumptions* are the testimony of the things themselves, and cannot be bribed.

That they cannot lie.

When we have *witnesses* against him that has them not, we must say,

That *presumptions*, if they be false, cannot be punished.

That if *presumptions* were enough, *witnesses* were superfluous.

2. Writings. For writings, when they favour us, we must say,

That *writings* are private and particular *laws*; and he that takes away the use of *evidences* abolisheth the law.

That since contracts and negotiations pass by *writings*, he that bars their use, dissolves human society.

Against them, if they favour the adversary, we may say,

That since *laws* do not bind that are fraudulently made to pass, much less *writings*.

And that the judge, being to dispense justice, ought rather to consider what is *just*, than what is in the *writing*.

That *writings* may be gotten by fraud or force, but justice by neither.

That the *writing* is repugnant to some *law*, *civil* or *natural*; or to *justice*; or to *honesty*.

That it is repugnant to some other *writing* before, or after.

That it crosses some commodity of the judge, which must not be said directly, but implied cunningly.

A. Torture. For the *torture*, if the giving of it make for us, we must say,

That it is the only testimony that is certain.

But if it make for the adversary we may say,

That men enforced by *torture*, speak as well that which is false, as that which is true.

That they who can endure, conceal the truth, and they who cannot, say that which is false to be delivered from pain.

S. Oaths. For *oaths*; he that will not put his adversary to his *oath*, may alledge,

That he makes no scruple to be *forsworn*.

That by *swearing* he will carry the cause, which *not swearing* he must lose.

That he had rather trust his cause in the hand of the judge, than of the adversary.

He that refuseth to *take the oath* may say,

That

That the matter is not worth so much.

That if he had been an evil man, he had *sworn*, and carried his cause.

That to try it by *swearing* for a religious man against an irreligious, is as hard a match, as to set a weak man against a strong in combat.

He that is willing to *take the oath*, may pretend,

That he had rather trust himself than his adversary; and that it is equal dealing for an irreligious man to *give*, and for a religious man to *take the oath*.

That it is his duty to *take the oath*, since he has required to have *sworn judges*.

He that *offers the oath* may pretend,

That he does piously commit his cause to the Gods.

That he makes his adversary himself judge.

That it were absurd for him *not to swear*, that has required the judges *to be sworn*.

And of these are to be compounded the forms we are to use, when we would *give*, and *not take the oath*; or *take* and *not give*; or *both give and take*; or *neither give nor take*.

But if one have *sworn* contrary to a former *oath*, he may pretend,

That he was forced.

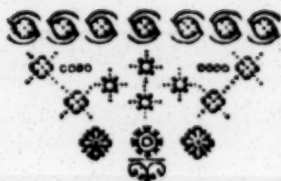
That he was deceived, and that neither of these is *perjury*, since *perjury* is voluntary.

But if the adversary do so, he may say,

That he that stands not to what he hath *sworn*, subverteth human society.

And (turning to the judge) What reason have we to require, that you should be *sworn*, that judge our cause, when we will not stand to that we *swear* ourselves.

And so much for *proofs inartificial*.



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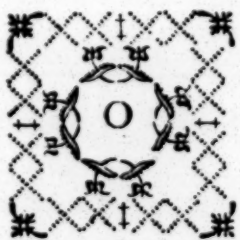


THE ART of RHETORICK.

BOOK II.

CHAP. I.

The introduction.



F *belief* proceeding from our *invention*, that part which consisteth in *proof*, is already spoken of.

The other two parts follow ; whereof one ariseth from the *manners* of the *speaker*, the other from the *passions* of the *bearer*.

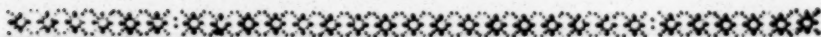
The *principles*, *colours*, or *common opinions* upon which a man's *belief* is grounded concerning the *manners* of him that *speaks*, are to be had partly

out of that which hath been said before concerning *virtue*, Book 1. Chap 9. partly out of those things which shall be said by and by concerning the *passions*. For a man is believed either for his *prudence* or for his *probity*, which are virtues; or for *good will*: Of which among the *passions*.

The *principles concerning belief*, arising from the *passion* of the *bearer*, are to be gathered from that which shall now be said of the several *passions* in order.

In every one of which three things are to be considered.

1. First, *how* men are affected.
2. Secondly, *towards whom*.
3. Thirdly, *for what*.



C H A P. II.

Of anger.

Anger is desire of revenge, joined with grief for that he, or some of his, is, or seems to be *neglected*.

The object of *anger* is always some particular or individual thing.

In *anger* there is also pleasure proceeding from the imagination of revenge to come.

To *neglect*, is to esteem little or nothing; and of three kinds.

1. Con-

1. *Contempt.*

2. *Crossing.*

3. *Contumely.*

Contempt, is when a man thinks another of little worth in comparison to himself.

Crossing, is the hindrance of another man's will without design to profit himself.

Contumely, is the disgracing of another for his own pastime.

The *common opinions* concerning *anger* are therefore such as follow :

They are easily angry that think they are neglected.

That think they excel others ; as the rich with the poor ; the noble with the obscure, &c.

And such as think they deserve well.

And such as grieve to be hindered, opposed, or not assisted : And therefore sick men, poor men, lovers, and generally all that desire. and attain not, are *angry* with those, that standing by, are not moved with their wants.

And such as having expected good, find evil.

Those that men are *angry* with, are :

Such as mock, deride, or jest at them.

And such as shew any kind of *contumely* towards them.

And such as despise those things which we spend most labour and study upon ; and the more, by how much we seem the less advanced therein.

And our friends, rather than those that are not our friends.

And

And such as have honoured us, if they continue not.

And such as requite not our courtesy.

And such as follow contrary courses, if they be our inferiors.

And our friends, if they have said or done us evil, or not good.

And such as give not ear to our intreaty.

And such as are joyful, or calm in our distress.

And such as troubling us, are not themselves troubled.

And such as willingly hear or see our disgraces.

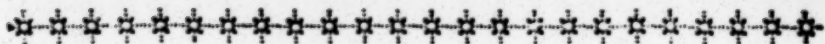
And such as neglect us in the presence of our competitors ; of those we admire ; of those we would have admire us ; of those we reverence ; and of those that reverence us.

And such as should help us, and neglect it.

And such as are in jest, when we are in earnest.

And such as forget us, or our names.

An *orator* therefore must so frame his *judge* or *auditor* by his *oration*, as to make him apt to *anger* ; and then make his *adversary* appear such as men use to be *angry withal*.



C H A P. III.

Of reconciling, or pacifying anger.

R *Econciliation* is the appeasing of anger.
Those to whom men are easily *reconciled*,
are :

Such as have not offended out of neglect.

And such as have done it against their will.

And such as wish to have done the contrary
of what they have done.

And such as have done as much to them-
selves.

And such as confess and repent.

And such as are humbled.

And such as do seriously the same things, that
they do seriously.

And such as have done them more good here-
tofore, than now hurt.

And such as sue to them for any thing.

And such as are not insolent, nor mockers,
nor slighers of others in their own disposition.

And generally such as are of a contrary dispo-
sition to those whom men are usually angry withal.

And such as they fear or reverence.

And such as reverence them.

And such as have offended their anger.

Reconcilable are :

Such

Such as are contrarily affected to those whom we have said before to be easily angry.

And such as play, laugh, make merry, prosper, live in plenty; and in sum, all that have no cause of grief.

And such as have given their anger time.

Men lay down their anger for these causes:

Because they have gotten the victory.

Because the offender has suffered more than they meant to inflict.

Because they have been revenged of another.

Because they think they suffer justly.

And because they think the revenge will not be felt, or not known that the revenge was theirs, and for such an injury.

And because the offender is dead.

Whosoever therefore would *assuage* the anger of his *auditor*, must make himself appear such, as men used to be *reconciled* unto; and beget in his *auditor* such opinions, as make him *reconcilable*.



CHAP. IV.

Of love and friends.

TO *love*, is to will well to another, and that for others, not for our own sake.

A *friend* is he that *loves*, and he that is *beloved*.

Friends

Friends one to another, are they that naturally love one another.

A *Friend* therefore is he,
That rejoiceth at another's good.

And that grieves at his hurt.

And that wishes the same with us to a third,
whether good or hurt.

And that is *enemy* or *friend* to the same man.

We *love them*,

That have done good to us or ours; especially if much, readily, or in season.

That are our friends *friends*.

That are our enemies *enemies*.

That are liberal.

That are valiant.

That are just.

And that we would have *love* us.

And good companions.

And such as can abide jests.

And such as break jests.

And such as praise us, especially for somewhat that we doubt of in ourselves.

And such as are neat.

And such as upbraid us not with our vices,
or with their own benefits.

And such as quickly forget injuries.

And such as least observe our errors.

And such as are not of an ill tongue.

And those that are ignorant of our vices.

And such as cross us not when we are busy,
or angry.

And

And such as are officious towards us.

And those that are like us.

And such as follow the same course or trade of life, where they impeach not one another.

And such as labour for the same thing, when both may be satisfied.

And such as are not ashamed to tell us freely their faults, so it be not in contempt of us, and the faults such, as the world, rather than their own consciences, condemns.

And such as are ashamed to tell us of their very faults.

And such as we would have honour us, and not envy, but imitate us,

And such as we would do good to, except with greater hurt to ourselves.

And such as continue their *friendship* to the dead.

And such as speak their mind.

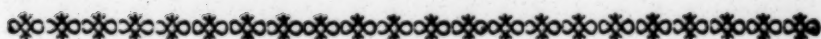
And such as are not terrible.

And such as we may rely on.

The several kinds of *friendship* are *Society*, *Familiarity*, *Consanguinity*, *Affinity*, &c.

The things that beget *love* are :

The bestowing of *benefits*, *gratis*, *unasked*, *privately*.



C H A P. V.

Of enmity and hatred.

THE colours or common opinions concerning *hatred*, are to be taken from the contrary of those, which concern love and friendship.

Hatred differs from anger in this.

That anger regards only what is done to one's self; but *hatred* not.

And in this, that anger regards particulars only; the other universals also.

And in this, that anger is curable, *hatred* not.

And in this, that anger seeks the vexation, *hatred* the damage of one's adversary.

That with anger there is always joined grief; with *hatred* not always.

That anger may at length be satiated, but *hatred* never.

Hence it appears how the judge or auditor may be made *friend* or *enemy* to us; and how our adversary may be made appear *friend* or *enemy* to the judge; and how we may answer to our adversary, that would make us appear *enemies* to him.

C H A P.



C H A P. VI.

Of fear.

F*E A R* is a trouble, or vexation of the mind, arising from the apprehensions of an evil at hand, which may hurt or destroy.

Danger is the nearness of the evil feared.

The things to be *feared* are :

Such as have power to hurt.

And the signs of will to do us hurt, as anger and hatred of powerful men.

And injustice joined with power.

And valour provoked, joined with power.

And the fear of powerful men.

The men that are to be *feared* are :

Such as know our faults.

And such as can do us injury.

And such as think they are injured by us.

And such as have done us injury.

And our competitors in such things as cannot satisfy both.

And such as are feared by more powerful men than we are.

And such as have destroyed greater men than we are.

And such as use to invade their inferiors.

And

And men not passionate, but dissemblers, and crafty, are more to be *feared* than those that are hasty and free.

The things especially to be *feared*, are :

Such, wherein if we err, the error cannot be repaired ; at least, not according to ours, but our adversary's pleasure.

And such as admit either none, or not easy help.

And such as being done, or about to be done to others, make us pity them.

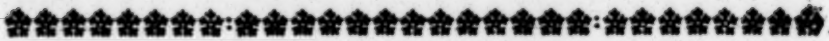
They that *fear not* are :

Such as expect not evil ; or not now ; or not this ; or not from these.

And therefore men *fear* little in prosperity.

And men *fear* little that think they have suffered already.

An orator therefore that would put *fear* into the auditor, must let him see that he is obnoxious ; and that greater than he do suffer, and have suffered from those, and at those times they least thought.



C H A P. VII.

Of assurance.

*A*ssurance is hope, arising from the imagination that the help is near, or the evil afar off.

The things therefore that beget *assurance* are :
The remoteness of those things that are to be feared, and the nearness of their contraries.

And the facility of great, or many helps or remedies.

And neither to have done, nor received injury.

And to have no competitors, or not great ones, or if great ones, at least friends, such as we have obliged, or are obliged to.

And that the danger is extended to more, or greater than us.

Assured, or confident, are : They that have oft escaped danger.

And they to whom most things have succeeded well.

And they that see their equals, or inferiors not afraid.

And they that have wherewith to make themselves feared ; as wealth, strength, &c.

And such as have done others no wrong.

And such as think themselves in good terms with God Almighty.

And

And such as think they will speed well that are gone before.



C H A P. VIII.

Of Shame.

*S*hame is a perturbation of the mind arising from the apprehension of evil, past, present, or to come, to the prejudice of a man's own, or his friend's reputation.

The things therefore that men are *ashamed* of, are those actions which proceed from vice; as,

To throw away one's arms, to run away; signs of cowardliness.

To deny that which is committed to one's trust; a sign of injustice.

To have lain with whom, where and when we ought not; signs of intemperance.

To make gain of small and base things; not to help with money whom and how much we ought; to receive help from meaner men; to ask money at use from such as one thinks will borrow of him; to borrow of him that expects payment of somewhat before lent; and to redemand what one has lent, of him that one thinks will borrow more; and so to praise, as one may be thought to ask; signs of wretchedness.

To praise one to his face; to praise his vir-

tues too much, and colour his vices; signs of flattery.

To be unable to endure such labours as men endure that are elder, tenderer, greater in quality, and of less strength than he; signs of effeminacy.

To be beholden often to another; and to upbraid those that are beholden to him; signs of pusillanimity.

To speak and promise much of one's self more than his due; signs of arrogance.

To want those things which one's equals, all, or most of them, have attained to, is also a thing to be *ashamed of*.

And to suffer things ignominious, as to serve about another's person, or to be employed in base actions.

In actions of intemperance, whether willingly or unwillingly committed; there is *shame* in actions of force, only when they are done unwillingly.

The men before whom we are *ashamed*, are such as we respect; namely,

Those that admire us.

And those whom we desire should admire us.

And those whom we admire.

Those that contend with us for honour.

Those whose opinion we contemn not.

And therefore men are most *ashamed* in the presence,

Of old and well bred men.

Of those we are always to live with.

Of those that are not guilty of the same fault.

Of those that do not easily pardon.

And of those that are apt to reveal our faults ;
such as are men injured, backbiters, scoffers,
comick poets.

And of those before whom we have always
had good success.

And of those who never asked any thing of us
before.

And of such as desire our friendship.

And of our familiars, that know none of our
crimes.

And of such as will reveal our faults to any of
those that are named before.

But in the presence of such whose judgment
most men despise, men are not *ashamed*.

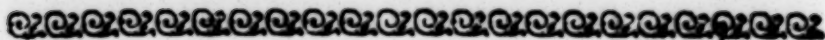
Therefore we are *ashamed* also in the presence
Of those whom we reverence.

And of those who are concerned in our own,
or ancestors, or kinsfolks actions or misfortunes,
if they be shameful.

And of their rivals.

And of those that are to live with them that
know their disgrace.

The *common opinions* concerning *impudence* are
taken from the contrary of these.



C H A P. IX.

Of grace, or favour.

G*Rate* is that virtue, by which a man is said to do a good turn, or to do service to a man in need; not for his own, but for his cause to whom he does it.

Great *grace* is when the need is great; or when they are hard, or difficult things that are conferred, or when the time is seasonable, or when he that confers the *favour* is the only, or first man that did it.

Need, is a desire joined with grief for the absence of the thing desired.

Grace therefore it is not, if it be not done to one that needs.

Whosoever therefore would prove that he has done a *grace*, or *favour*, must shew that he needeth it to whom it was done.

Grace it is not,

Which is done by chance.

Nor which is done by necessity.

Nor which has been required.

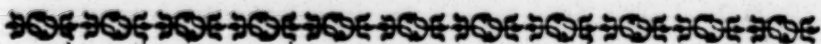
Nor that which is done to one's enemy.

Nor that which is a trifle.

Nor that which is nought, if the giver know the fault.

And

And in this manner a man may go over the prædicaments, and examine a benefit, whether it be a *grace* for being *this*, or for being *so much*, or for being *such*, or for being *now*, &c.



C H A P. X.

Of pity, or compassion.

P*ITY* is a perturbation of the mind, arising from the apprehension of hurt or trouble to another that doth not deserve it, and which he thinks may happen to himself, or his.

And because it appertains to *pity*, to think that he, or his may fall into the misery he pities in others, it follows that they be most *compassionate*,

Who have passed through misery.

And old men.

And weak men.

And timorous men.

And learned men.

And such as have parents, wife, and children.

And such as think there be honest men.

And that they are less *compassionate*.

Who are in great despair.

Who are in great prosperity.

And they that are angry; for they consider
not.

And they that are very confident; for they also consider not.

And they that are in the act of contumely; for neither do these consider.

And they that are astonished with fear.

And they that think no man honest.

The things to be *pitied* are:

Such as grieve, and withal hurt.

Such as destroy.

And calamities of fortune, if they be great; as none or few friends, deformity, weakness, lameness, &c.

And evil that arrives where good is expected.

And after extream evil, a little good.

And through a man's life to have no good offer itself; or being offered, not to have been able to enjoy it.

Men to be *pitied* are:

Such as are known to us, unless they be so near to us, as their hurt be our own.

And such as be of our own years.

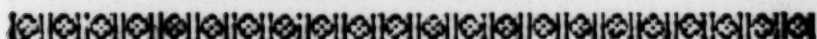
Such as are like us in manners.

Such as are of the same, or the like stock.

And our equals in dignity.

Those that have lately suffered, or are shortly to suffer injury; and those that have the marks of injury past.

And those that have the words or actions of them that be in present misery.



C H A P. XI.

Of indignation.

Opposite in a manner to *pity* in good men, is *indignation*, which is grief for the prosperity of a man unworthy.

With *indignation* there is always joined a joy for the prosperity of a man worthy, as *pity* is always with contentment in the adversity of them that deserve it.

In wicked men the opposite of *pity* is:

Envy; as also the companion thereof, *delight in the harm of others*, which the Greeks in one word have called *ἐπὶ κακίᾳ χαρὰ*. But of these in the next chapter.

Men conceive indignation against others, not for their virtues, as justice, &c.

For these make men worthy; and in *indignation* we think men unworthy.

But for those goods which men indued with virtue, and noble men, and handsome men are worthy of.

And for newly gotten power and riches, rather than for antient; and especially if by these he has gotten other goods, as by riches, command. The reason why we conceive greater *indignation* against new than antient riches, is, that the former seem to possess that which is

none

none of theirs. But the antient seem to have but their own. For with common people, to have been so long, is to be so by right.

And for the bestowing of goods incongruously: As when the arms of the most valiant *Achilles* were bestowed on the most eloquent *Ulysses*.

And for the comparison of the inferior in the same thing; as when one valiant is compared with a more valiant; or whether absolutely superior, as when a good scholar is compared with a good man.

Apt to *indignation* are:

They that think themselves worthy of the greatest goods, and do possess them.

And they that are good.

And they that are ambitious.

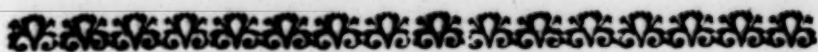
And such as think themselves deserve better what another possesseth, than he that hath it.

Least apt to *indignation* are:

Such as are of a poor, servile, and not ambitious nature.

Who they are, that rejoice, or grieve not at the adversity of him that suffers worthily, and in what occasions, may be gathered from the contrary of what has been already said.

Whosoever therefore would turn away the *compassion* of the judge, he must make him apt to *indignation*; and shew that his adversary is unworthy of the good, and worthy of the evil which happens to him.



C H A P. XII.

Of envy.

E*NVY* is grief, for the prosperity of such as ourselves, arising not from any hurt that we, but from the good that they receive.

Such as ourselves, I call those that are equal to us in blood, in age, in abilities, in glory, or in means.

They are apt to *envy*,

That are within a little of the highest.

And those that are extraordinarily honoured for some quality that is singular in them, especially wisdom or good fortune.

And such as would be thought wise.

And such as catch at glory in every action.

And men of poor spirits: For every thing appears great to them.

The things which men *envy* in others are:

Such as bring glory.

And goods of fortune.

And such things as we desire for ourselves.

And things in the possession whereof we exceed others, or they us a little.

Obnoxious to *envy* are:

Men of our own time, of our own country, of our own age, and competitors of our glory.

And therefore,

Those

Those whom we strive with for honour.

And those that covet the same things that we do.

And those that get quickly, what we hardly obtain, or not at all.

And those that attain unto, or do the things that turn to our reproach, not being done by us.

And those that possess what we have possessed heretofore. So old and decayed men *envy* the young and lusty.

And those that have bestowed little, are subject to be *envied* by such as have bestowed much upon the same thing.

From the contraries of these may be derived the principles concerning joy for other mens hurt.

He therefore that would not have his enemy prevail, when he craves *pity*, or other favour; must dispose the judge to *envy*; and make his adversary appear such, as are above described to be subject to the *envy* of others.



C H A P. XIII.

Of emulation.

EMulation is grief, arising from that our equals possess such goods as are had in honour, and whereof we are capable, but have them

them not; not because they have them, but because not we also.

No man therefore *emulates* another in things whereof himself is not capable.

Apt to *emulate* are :

Such as esteem themselves worthy of more than they have.

And young and magnanimous men.

And such as already possess the goods for which men are honoured: For they measure their worth by their having.

And those that are esteemed worthy by others.

And those whose ancestors, kindred, familiars, nation, city, have been eminent for some good, do *emulate* others for that good.

Objects of *emulation* are, for things; virtues.

And things whereby we may profit others.

And things whereby we may please others.

For persons,

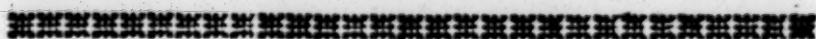
They that possess such things.

And such as many desire to be friends or acquainted with, or like unto.

And they whose praises fly abroad.

The contrary of *emulation* is *contempt*.

And they that *emulate* such as have the goods aforementioned, *contemn* such as have them not: And thence it is, that men who live happily enough, unless they have the goods which men honour, are nevertheless *contemned*.



C H A P. XIV.

Of the manners of youth:

OF *passions* we have already spoken.
We are next to speak of *manners*.

Manners are distinguished by *passions*, *habits*,
ages, and *fortunes*:

What kind of *manners* proceed from *passions*,
and from *virtues* and *vices*, (which are *habits*)
hath been already shewed.

There remains to be spoken of the *manners*,
that are peculiar to several *ages* and *fortunes*.

The *ages* are *youth*, *middle-age*, *old-age*.

And first of *youth*.

Young men are :

Violent in their desires.

Prompt to execute their desires.

Incontinent.

Inconstant, easily forsaking what they desired
before.

Longing mightily, and soon satisfied.

Apt to anger, and in their anger violent; and
ready to execute their anger with their hands.

Lovers of honour, and of victory more than
money, as having not been yet in want.

Well natured, as having not been acquainted
with much malice.

Full

Full of hope, both because they have not yet been often frustrated, and because they have by natural heat that disposition that other *ages* have by wine; *youth* being a kind of natural drunkenness. Besides, hope is of the time to come, whereof *youth* hath much, but of the time past, little.

Credulous, because yet not often deceived.

Easily deceived, because full of hope.

Valiant, because apt to anger and full of hope; whereof this begets confidence, the other keeps off fear.

Bashful, because they estimate the honour of actions by the precepts of the law.

Magnanimous, because not yet dejected by the misfortunes of human life.

And lovers of honour more than of profit, because they live more by custom than by reason; and by reason we acquire profit, but virtue by custom.

Lovers of their friends and companions.

Apt to err in the excess, rather than the defect, contrary to the precept of *Chilon*, *Ne quid nimis*; for they overdo every thing: They love too much, and hate too much, because thinking themselves wise, they are obstinate in the opinion they have once delivered.

Doers of injury, rather for contumely, than for damage.

Merciful, because measuring others by their own innocence, they think them better than they

they be, and therefore less to merit what they suffer; which is a cause of pity.

And lovers of mirth, and by consequence such as love to jest at others.

Jesting is witty contumely:



C H A P: XV.

Of the manners of old men.

THE *manners of old men* are in a manner ~~the~~ the contraries of those of *youth*.

They determine nothing: They do every thing less vehemently than is fit: They never say they know; but to every thing they say, perhaps and peradventure; which comes to pass from that having lived long, they have often mistaken and been deceived.

They are peevish because they interpret every thing to the worst.

And suspicious through incredulity, and incredulous by reason of their experience.

They love and hate, as if they meant to continue in neither.

Are of poor spirits, as having been humbled by the chances of life.

And covetous; as knowing how easie 'tis to lose, and hard to get.

And timorous, as having been cooled by years.

And

And greedy of life; for good things seem greater by the want of them.

And lovers of themselves out of pusillanimity.

And seek profit more than honour, because they love themselves; and profit is among the goods that are not simply good; but good for oneself.

And without bashfulness, because they despise seeming.

And hope little; knowing by experience that many times good counsel has been followed with ill event, and because also they be timorous.

And live by memory rather than hope; for memory is of the time past, whereof *old men* have good store.

And are full of talk, because they delight in their memory.

And vehement in their arger; but not stout enough to execute it.

They have weak, or no desires; and thence seem temperate.

They are slaves to gain.

And live more by reason than custom; because reason leads to profit, as custom to that which is honourable.

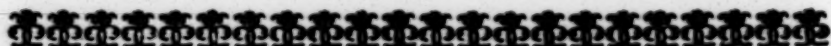
And do injury to indamage, and not in contumely.

And are merciful by compassion, or imagination of the same evils in themselves which is a kind of infirmity, and not humanity, as in *young*

men, proceeding from a good opinion of those that suffer evil.

And full of complaint, as thinking themselves not far from evil, because of their infirmity.

Seeing then every man loves such men, and their discourses, which are most agreeable to their own *manners*; 'tis not hard to collect, how the orator, and his oration may be made acceptable to the hearer, whether *young* or *old*.



C H A P. XVI.

Of the manners of middle-aged men.

THE *manners* of *middle-aged* men, are between those of *youth*, and *old men*, and therefore.

They never dare, nor fear too much; but both as is fit.

They neither believe all; nor reject all; but judge.

They seek not only what is honorable, nor only what is profitable; but both.

They are neither covetous, nor prodigal; but in the mean.

They are neither easily angry; nor yet stupid; but between both.

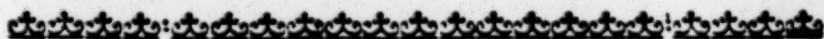
They

They are valiant, and withal temperate.

And in general, whatsoever is divided in *youth*, and *old men*; is compounded in *middle-age*.

And whereof the excess, or defect is in *youth* or *old men*; the mediocrity is in those of *middle-age*.

Middle-age for the body, I call the time from thirty to five and thirty years: For the mind, the nine and fortieth, or thereabouts.



CHAP. XVII.

Of the manners of the nobility.

OF *manners* that proceed from the several *ages* we have already spoken.

We are next to speak of those that rise from several *fortunes*.

The *manners* of the *nobility* are:

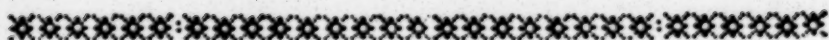
To be ambitious.

To undervalue their ancestors equals. For the goods of Fortune seem the more precious for their antiquity.

Nobility is the virtue of a stock.

And *generosity*, is not to degenerate from the virtue of his stock.

For as in plants; so in the races of men, there is a certain progress; and they grow better and better to a certain point; and change, viz. Subtil wits into madness; and staid wits into stupidity and blockishness.



C H A P. XVIII.

Of the manners of the rich.

RICH men are contumelious and proud. This they have from their *riches*. For seeing every thing may be had for money, having money, they think they have all that is good.

And effeminate; because they have wherewithal to subminister to their lust.

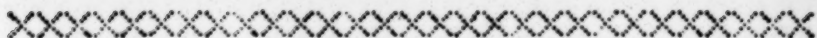
And boasters of their wealth; and speak in high terms foolishly. For men willingly talk of what they love and admire; and think others affect the same that they do: And the truth is, all sorts of men submit to the *rich*.

And think themselves worthy to command, having that by which men attain command.

And in general, they have the *manners* of fortunate fools.

They do injury, with intention not to do hurt, but to disgrace; and partly also through incontinence,

There is a difference between *new* and *antient* *riches*: For they that are *newly* come to wealth, have the same faults in a greater degree: For *new riches* are a kind of rudeness and apprenticeship of *riches*.



C H A P. XIX.

Of the manners of men in power, and of such as prosper.

THE *manners* of men in *power*, are the same, or better than those of the rich.

They have a greater sense of honour than the rich; and their *manners* are more manly.

They are more industrious than the rich: For power is sustained by industry.

They are grave, but without austereness: For being in place conspicuous, they carry themselves the more modestly; and have a kind of gentle and comely gravity, which the Greeks call *σεμνότης*.

When they do injuries, they do great ones.

The *manners* of men that *prosper*, are compounded of the *manners* of the *nobility*, the *rich*, and those that are in *power*; for to some of these all prosperity appertains.

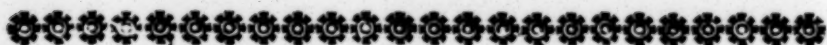
Prosperity in children, and goods of the body, make men desire to exceed others in the goods of Fortune.

Men that *prosper* have this ill, to be more proud, and inconsiderate than others.

And this good; that they worship God, trusting in him, for that they find themselves to re-

ceive more good than proceeds from their industry.

The *manners of poor men, obscure men, men without power, and men in adversity*, may be collected from the contrary of what has been said.



C H A P. XX.

Common places or principles, concerning what may be done, *what has been done, and what shall be done*; or of *fact* possible, past and future. Also of great and little.

WE have hitherto set down such principles as are peculiar to several kinds of orations.

Now we are to speak of such places as are common to them all; as these, *possible, done, or past, future, great, small.*

Possible is that,

The contrary whereof is possible.

And the like whereof is possible.

And than which some harder thing is possible.

And the beginning whereof is possible.

And the end whereof is possible.

And the usual consequent whereof is possible.

And whatsoever we desire.

And the beginning whereof is in the power of those whom we can either compel or persuade.

And

And part whereof is possible.

And part of the whole that is possible.

And the general if a particular.

And a particular if the general.

And of relatives, if one, the other.

And that which without art and industry is *possible*, is much more so with art and industry.

And that which is *possible* to worse, weaker, or unskilfuller men, is much more so to better, stronger, and more skilful.

The *principles* concerning *impossible* are the contraries of these.

That *has been done*,

Than which a harder thing has been done.

And the consequent whereof has been done.

And that which being possible, he had a will to, and nothing hindered.

And that which was possible to him in his anger.

And that which he longed to do.

And that which was before upon the point of doing.

And whose antecedent has been done; or that for which it uses to be done.

And if that, for whose cause we do this, than this.

The *principles* concerning *not done* are the contraries of these.

That *shall be done*,

Which some man can, and means to do.

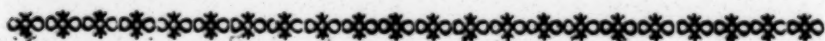
And which some man can, and desires to do.

And which is in the way, and upon the point to be done.

And the antecedents whereof are past.

And the motive whereof is past.

Of *great* and *small*, *more* and *less*, see Chap. 7. Book 1.



C H A P. XXI.

Of example, similitude, and fables.

OF the *principles* both general and special from whence *proofs* are to be drawn, has been already spoken.

Now follow the *proofs* themselves which are *examples* or *enthymemes*.

An *example* is either an example properly so called, (as some action past) or a *similitude*, (which also is called a parable) or a *fable*, (which contains some action feigned.)

An example properly so called, is this: Darius came not into Greece till he had first subdued Ægypt. Xerxes also conquered Ægypt first; then afterwards crossed the Hellespont. We ought therefore to hinder the king of Persia from conquering Ægypt.

A *similitude*, or *parable*, is such as followeth: They who choose their magistrates by lot, are like them that choose for their champions those on whom the lot shall fall, rather than those who have the greatest

greatest strength; and for their pilot, not him that hath skill; but him whose name is drawn out of the urn.

A fable is in this manner. The horse desiring to drive out the stag from his common pasture, took a man to assist him, and having received into his mouth a bridle, and a rider upon his back, obtained his intent, but became subject to the man. So you of Himera, having (in hope to be revenged of your enemies) given unto Phalaris sovereign authority, that is to say, taken a bridle into your mouths; if you shall also give him a guard to his person, that is, let him get upon your backs, you become his slaves presently past recovery.

To find out examples, that is, actions done that may serve our purpose, is therefore hard, because not in our power.

But to find fables and similitudes, is easier; because by conversing in philosophy, a man may feign somewhat in nature like to the case in hand.

Examples, similitudes and fables, where *enthymemes* are wanting, may serve us in the beginning of an oration for inductions; otherwise are to be alledged after *enthymemes* for testimonies.



C H A P. XXII.

Of a sentence.

A Sentence is an universal proposition concerning those things which are to be desired or avoided, in the actions or passions of the common life. As,

A wise man will not suffer his children to be over-learned.

And is to an *enthymeme* in *rbetorick*, as any *proposition* is to a *sylogism* in *logick*.

And therefore a *sentence*, if the reason be rendered, becomes a *conclusion*, and both together make an *enthymeme*.

As for example :

To be over-learned, besides that it begets effimacy, procures envy. Therefore he that is wise will not suffer his children to be over-learned.

Of *sentences* there be four sorts :

For they either require *proofs*, or not : That is, are manifest, or not.

Such as are manifest, are either so, as soon as they are uttered ; as,

Health is a great good.

Or as soon as they are considered ; as,

Men use to hate, whom they have hurt.

Such as are not manifest, are either *conclusions* of *enthymemes* ; as,

He

He that is wise will not suffer his children, &c.

Or else are *enthymematical*; that is, have in themselves the force of an *enthymeme*; as,

Mortal men ought not to carry immortal anger.

A sentence not manifest, ought to be either *inferred*, or *confirmed*.

Inferred thus:

It is not good to be effeminately minded, nor to be envied by one's fellow citizens. A wise man therefore will not have his children overlearned.

Confirmed thus:

A wise man will not have his children overlearned, seeing too much learning both softens a man's mind, and procures him envy among his fellow citizens.

If a reason be added to a manifest sentence let it be short.

Sentences become not every man; but only old men, and such as be well versed in business. For to hear a young man speak sentences, is ridiculous; and to hear an ignorant man speak sentences, is absurd.

Sentences generally received, when they are for our purpose, ought not to be neglected, because they pass for truths. And yet they may be denied, when any laudable custom, or humour may thereby be made appear in the denier.

The commodities of sentences, are two,

One proceeding from the vanity of the hearer, who takes for true universally affirmed, that which he has found for true only in some particular;

cular; and therefore a man ought to consider in every thing what opinion the hearer holds.

Another is, that *sentences* do discover the manners and disposition of the speaker; so that if they be esteemed good *sentences*, he shall be esteemed a good man; if evil, an evil man.

Thus much of *sentences*, what they be; of how many sorts; how to be used; whom they become; and what is their profit.



C H A P. XXIII.

Of the invention of enthymemes.

Seeing an *enthymeme* differs from a *logical syllogism*, in that it neither concludes out of every thing nor out of remote *principles*; the *places* of it, from whence a man may argue ought to be certain, and determinate.

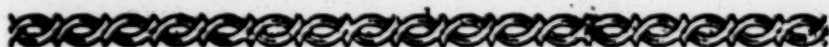
And because whosoever makes a *syllogism rhetorical*, or other, should know all, or the most part of that which is in question; as, whosoever is to advise the *Athenians* in the question, whether they are to make war or no, must know what their revenues be; what, and what kind of power they have: And he that will praise them, must know their acts at *Salamis*, *Marathon*, &c. It will be necessary for a good speaker to have in readiness the choicest particulars of whatsoever he foresees he may speak of.

He

He that is to speak *ex tempore*, must comprehend in his speech as much as he can of what is most proper in the matter in hand.

Proper, I call those things which are least common to others; as, he that will praise *Achilles*, is not to declare such things as are common both to him; and *Diomedes*. As that he was a prince, and wared against the *Trojans*; but such things as are proper only to *Achilles*; as that he killed *Hector* and *Cygnus*; went to the war young and voluntary.

Let this therefore be one general place, from that which is proper.



C H A P. XXIV.

Of the places of enthymemes offensive.

FOrasmuch as *enthymemes* either infer truly; or seem only so to do; and they which do infer indeed, be either *offensive*; or such as bring a man to some *impossibility*; we will first set down the places of *enthymemes offensive*.

An *offensive enthymeme* is, wherein a man concludes the question from somewhat granted.

That *enthymeme* which brings a man to an *impossibility*, is an *enthymeme* wherein from that which the adversary maintaineth, we conclude that which is manifestly *impossible*.

All

All *places* have been already set down in a manner in the precedent propositions of *good, evil, just, unjust, honourable and dishonourable* : Namely, they have been set down as applied to *particular subjects, or in concrete.*

Here they are to be set down in another manner; namely, in the *abstract or universal.*

The first *place* then let be from *contraries*, which in the *concrete* or *particulars* is exemplified thus. *If intemperance be hurtful, temperance is profitable : And if intemperance be not hurtful ; neither is temperance profitable.*

Another *place* may be from *cognomination* or affinity of words ; as in this particular. *If what is just be good ; then what is justly is well : But justly to die is not well : Therefore not all that is just is good.*

A third from *relatives* ; as, *This man has justly done, therefore the other has justly suffered.* But this *place* sometimes deceives ; for a man may suffer *justly*, yet not from *him*.

A fourth from *comparison*, three ways.

From the *great to the less* ; as, *He has stricken his father ; and therefore this man.*

From the *less to the greater* ; as, *The Gods know not all things ; much less man.*

From *equality* ; as, *If captains be not always the worse esteemed for losing a victory ; why should sophisters ?*

Another from the *time* ; as *Philip to the Thebans : If I had required to pass through your country with my army, before I had aided you against the Phocæans,*

Phocæans, *there is no doubt but you would have promised it me. It is absurd therefore to deny it me now, after I have trusted you.*

A sixth from *what the adversary says of himself*; as, Iphicrates asked Aristophon, *whether he would take a bribe to betray the army; and he answering no: What (says he) is it likely that Iphicrates would betray the army; and Aristophon not?*

This place would be ridiculous, where the defendant were not in more estimation than the accuser.

A seventh from the *definition*; as that of Socrates: *A spirit is either God, or the creature of God: And therefore he denies not that there is a God, that confesses there are spirits.*

An eighth from the *distinction of an ambiguous word*.

A ninth from *division*; as, *If all men do what they do for one of three causes, whereof two are impossible; and the accuser charge not the defendant with the third; it follows that he has not done it.*

A tenth from *induction*; as, *At Athens, at Thebes, at Sparta, &c. And therefore every where.*

An eleventh from *authority, or precedent sentence*; as that of Sappho, *that death is evil, for that the Gods have judged it so, in exempting themselves from mortality.*

A twelfth from the *consequence*; as, *It is not good to be envied; therefore neither to be learned. It is good to be wise, therefore also to be instructed.*

A thirteenth from *two contrary consequences*; as, *It is not good to be an orator, because if he speak the truth, he shall displease men; if he speak falsely, he shall displease God.*

Here is to be noted, that sometimes this argument may be retorted; as, thus, *If you speak truth, you shall please God; if you speak untruth, you shall please men; therefore by all means be an orator.*

A fourteenth from the *quality that men have to praise one thing, and approve another*; as, *We ought not to war against the Athenians upon no precedent injury; for all men discommend injustice. Again, We ought to war against the Athenians; for otherwise our liberty is at their mercy, that is, is no liberty: But the preservation of liberty is a thing that all men will approve.*

A fifteenth from *proportion*; as, *seeing we naturalize strangers for their virtues, why should we not banish this stranger for his vices?*

A sixteenth from the *similitude of consequents*; as, *He that denies the immortality of the Gods, is no worse than he that has written the generation of the Gods. For the same consequence follows of both, that sometimes there are none.*

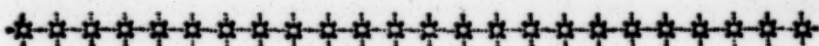
A seventeenth from *that, that men change their mind*; as, *If when we were in banishment, we fought to recover our country, why should we not fight now to retain it?*

An eighteenth from a *feigned end*; as, *that Diomedes chose Ulysses to go with him, not as more valiant*

valiant than another ; but as one that would partake less of the glory.

A nineteenth from the *cause* ; as if he would infer he did it from this, *that he had cause to do it.*

A twentieth from *that which is incredible, but true* : As, *that laws may need a law to mend them ; as well as fish bred in the salt water, may need salting.*



C H A P. XXV.

Of the places of Enthymemes that lead to impossibility.

LET the first place be from *inspection of times, actions, or words*, either of the *adversary*, or of the *speaker*, or *both*. Of the *adversary* ; as, *he says, he loves the people, and yet he was in the conspiracy of the thirty.* Of the *speaker* ; as, *he says, I am contentious, and yet I never began suit.* Of *both* ; as *he never conferr'd any thing to the benefit of the commonwealth, whereas I have ransom'd divers citizens with mine own money.*

A second from *shewing the cause of that which seemed amiss*, and serves for men of good reputation that are accused ; as, the mother that was accused of incest for being seen imbracing her son, was absolved as soon as she made appear,

G

that

that she imbraced him upon his arrival from far; by way of salutation.

A third, from *rendring of the cause*; as, *Leodamas*, to whom it was objected, that he had, under the thirty tyrants, defaced the inscription (which the people had set up in a pillar) of his ignominy; answered, *he had not done it; because it would have been more to his commodity to let it stand; thereby to indear himself to the tyrants, by the testimony of the peoples hatred.*

A fourth from *better counsel*; as, *he might have done better for himself; therefore he did not this.* But this *place* deceives, when the *better counsel* comes to mind after the fact.

A fifth, from *the incompatibility of the things to be done*; as, they that did deliberate whether they should both mourn and sacrifice at the funeral of *Leucothea*, were told, that *if they thought her a Goddess, they ought not to mourn; and if they thought her a mortal, they ought not to sacrifice.*

A sixth (which is proper to *judicial orations*) from *an inference of error*; as, *if he did it not, he was not wise, therefore he did it.*

Enthymemes that lead to *impossibility*, please more than *ostensive*: For they compare, and put contraries together, whereby they are the better set off, and more conspicuous to the auditor.

Of all *Enthymemes*, they be best, which we assent to as soon as hear. For such consent pleaseth us; and makes us favourable to the speaker.



C H A P. XXVI.

Of the places of seeming Enthymemes.

OF *seeming Enthymemes*, one place may be from *the form of speaking*; as when a man has repeated divers sentences, he brings in his conclusion, as if it follow'd necessarily, though it do not.

A second from *an ambiguous word*.

A third from *that which is true divided, to that which is false, joyned*; as that of Orestes, *It was justice that I should revenge my father's death, and it was justice my mother should die for killing my father, therefore, I justly killed my mother*. Or from *that which is true joyned, to that which is false divided*; as *one cup of wine, and one cup of wine, are hurtful; therefore one cup of wine is hurtful*,

A fourth from *Amplification of the crime*. For neither is the *defendant* likely to have committed the *crime* he *amplifies*; nor does the *accuser* seem, when he is *passionate*, to want ground for his accusation.

A fifth from *signs*; as, when a man concludes the doing of the fact from the manner of his life.

A sixth from *that which comes by chance*, as if from this, that the tyranny of *Hipparchus* came

to be overthrown from the love of *Aristogeiton* to *Harmodius*, a man should conclude, that in a free commonwealth loving of boys were profitable.

A seventh from *the consequence*, as *banishment is to be desired*, because a banish'd man has choice of places to dwell in.

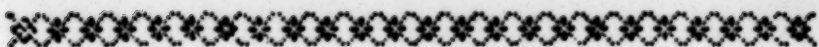
An eighth from *making that the cause which is not*; as, in *Demosthenes* his government, the war began; therefore *Demosthenes* governed well. With the *Peloponnesian War* began the *Plague*, therefore *Pericles* that perswaded that war, did ill.

A ninth from *the omission of some circumstance*, as; *Helen* did what was lawful, when she ran away with *Paris*, because she had her fathers consent to choose her own husband; which was true only during the time that she had not chosen.

A tenth, from *that which is probable in some case*, to *that which is probably simply*; as, 'tis probable, he foresaw, that if he did it, he should be suspected; therefore 'tis probable he did it not.

From this place one may infer both ways that he did it not. For if he be not likely to do it, it may be thought he did it not: Again, if he were likely to do it, it may be thought he did it not, for this, that he knew he should be suspected.

Upon this place was grounded the art, which was so much detested in *Protagoras*, of making the better cause seem the worse; and the worse the better.



C H A P. XXVII.

Of the ways to answer the Arguments of the Adversary.

AN argument is answered by an opposite syllogism, or by an objection.

The places of opposite syllogismes are the same with the places of syllogismes, or enthymemes; for a rhetorical syllogisme is an enthymeme.

The places of objections are four.

First, from *the same*, as, to the adversary that proves love to be good by an enthymeme, may be objected, that *no want is good, and yet love is want*; or particularly thus; *the love of Myrrha to her father was not good.*

The second from *contraries*: As, if the adversary say, *a good man does good to his friends*, an objection might be made, that then *an evil man will do also evil to his friends.*

The third from *similitude*: As thus, if the adversary say, *all men that are injured, do hate those that have injured them*, it may be objected, that then, *all men that had received benefits should love their benefactors*, that is to say, be grateful.

The fourth from the *authority of famous men*; as when a man shall say, that drunken men ought to be pardoned those acts they do in their drunkenness, because they know not

what they do ; the *objection* may be, *that Pittacus was of another mind, that appointed for such acts a double punishment ; one for the act, another for the drunkenness.*

And forasmuch as all *enthymemes* are drawn from *probability*, or *example*, or from a *sign fallible*, or from a *sign infallible* : An *enthymeme* from *probability* may be confuted *really*, by shewing that for the most part it falls out otherwise ; but *apparently*, or *sophistically*, by shewing only that it does not fall out so always ; whereupon the judge thinks the *probability* not sufficient to ground his sentence upon.

[The reason whereof is this, that the judge, while he hears the fact proved *probable*, conceives it as *true*. For the understanding has no object but *truth*. And therefore by and by, when he shall hear an *instance* to the contrary ; and thereby find that he had no necessity to think it *true*, presently changes his opinion, and thinks it *false*, and consequently not so much as *probable*. For he cannot at one time think the same thing both *probable* and *false* : And he that says a thing is *probable*, the meaning is, he thinks it *true*, but finds not arguments enough to prove it.]

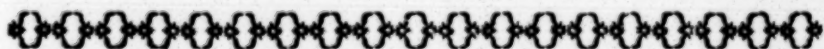
An *enthymeme* from a *fallible sign*, is answered, by shewing the *sign to be fallible*.

An *enthymeme* from an *example*, is answered, as an *enthymeme* from *probability* ; *really*, by shewing more *examples* to the contrary ; *apparently*, if he

he bring *examples* enough to make it seem *not necessary*.

If the *adversary* have more *examples* than we, we must make appear, that they are not applicable to the case.

An *enthymeme* from an *infallible sign*, if the proposition be *true*, is unanswerable.



C H A P. XXVIII.

Amplification and extenuation are not common places. Enthymemes by which arguments are answered, are the same with those by which the matter in question is proved, or disproved. Objections are not enthymemes.

THE first, that *amplification* and *extenuation* are not *common places*, appears by this, that *amplification*, and *extenuation* do prove a fact to be *great*, or *little*; and are therefore *enthymemes*, to be drawn from *common places*, and therefore are not the *places* themselves.

The second, that *enthymemes*, by which Arguments are answered, are of the same kind with those by which the matter in question is proved, is manifest by this, that these infer the opposite of what was proved by the other.

The third, that an *objection* is no *enthymeme*, is apparent by this, that an *objection* is no more but an *opinion*, *example*, or other *instance*, pro-

duced to make appear, that the adversaries argument does not conclude.

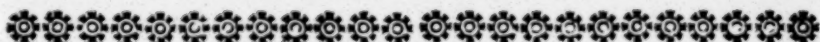
Thus much of *examples*, *sentences*, *enthymemes*, and generally of all things that belong to *argumentation*; from what *places* they may be drawn, or answered.

There remains *elocution*, and *disposition* to be spoken of in the next book.





THE
ART of RHETORICK.

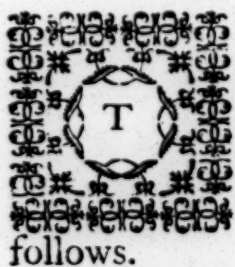


B O O K III.



C H A P. I.

Of the original of elocution and pronunciation.



THREE things being necessary to an *oration*, namely *proof*, *elocution* and *disposition*; we have done with the first, and shall speak of the other two in that which follows.

As for *action*, or *pronunciation*, so much as is necessary for an *orator*, may be fetch'd out of the *book* of the *art* of *poetry*, in which we have treated of the *action* of the *stage*.

For *Tragicians* were the first that invented such *action*, and that but of late; and it consisteth in governing well the *magnitude*, *tone* and *measure* of the *voice*; a thing less subject to *art*, than is either *proof*, or *elocution*.

And yet there have been rules delivered concerning it, as far forth as serve for *poetry*.

But *oratorical action* has not been hitherto reduced to *art*.

And *orators* in the beginning, when they saw that the *poets* in barren and feigned arguments, nevertheless attained great reputation; supposing it had proceeded from the choice, or connexion of words, fell into a *stile*, by imitation of them, approaching to verse, and made choice of words.

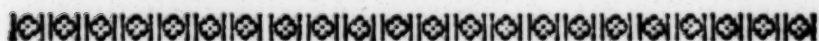
But when the *poets* changed their *stile*, and laid by all words that were not in common use, the *orators* did the same, and lighted at last upon words, and government of the voice and measures proper to themselves.

Seeing therefore *pronunciation*, or *action* are in some degree necessary also for an *orator*, the precepts thereof are to be fetch'd from the *art of poetry*.

[In the mean time this may be one general Rule. If the *words*, *tone*, *greatness* of the voice, *gesture* of the body and countenance, seem to proceed all from one passion, then 'tis well pronounced. Otherwise not.

For when there appear more passions than one at once, the mind of the speaker appears

pears unnatural and distracted. Otherwise, as the mind of the speaker, so the mind of the hearer always.]



C H A P. II.

Of the choice of words and epithets.

THE virtues of a *word* are two; the first, that it be *perspicuous*; the second, that it be *decent*; that is, neither *above*, nor *below* the thing signified; or, neither too humble, nor too fine.

Perspicuous are all *words* that be *proper*.

Fine words are those, that are *borrowed*, or *translated* from other significations; of which in the *Art of Poetry*.

The reason why *borrowed words* please, is this. Men are affected with *words*, as they are with *men*, admiring in both that which is *foreign* and *new*.

To make a *poem* graceful, many things help; but few an *oration*.

For to a *poet* it sufficeth with what *words* he can to set out his *poem*: But an *orator* must not only do that: But also seem not to do it: For else he will be thought to speak unnaturally, and not as he thinks; and thereby be the less believed; whereas *belief* is the scope of his *oration*.

The

The *words* that an *orator* ought to use are of three sorts. *Proper*; such as are *received*; and *metaphors*.

Words taken from foreign languages, words compounded, and words new coined are seldom to be used.

Synonimaes belong to *poets*, and *equivocal* words to *sophisters*.

An *orator*, if he use *proper* words, and *received*, and *good metaphors*, shall make his *oration* *beautiful*, and not seem to intend it; and shall speak *perspicuously*. For in a *metaphor* alone there is *perspicuity*, *novity*, and *sweetness*.

Concerning *metaphors* the rules are these.

1. He that will make the best of a thing, let him draw his *metaphor* from somewhat that is better. As for example, let him call a *crime*, an *error*. On the other side, when he would make the worst of it, let him draw his *metaphor* from somewhat worse, as, calling *error*, *crime*.

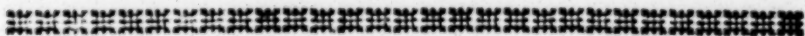
2. A *metaphor* ought not to be so far fetch'd, as that the similitude may not easily appear.

3. A *metaphor* ought to be drawn from the noblest things, as the *poets* do that choose rather to say, *rosy-finger'd*; then *red-finger'd aurora*.

In like manner the rule of *epithets* is,

That he that will adorn, should use those of the better sort; and he that will disgrace should use those of the worse: As *Simorides* being to write an *ode* in honour of the victory gotten in a course by certain *mules*, being not well paid, called them by their name [*Ἡμίονοι*] that signifies

fies their propinquity to asses; but having ~~received~~ received a greater reward, stiles them *the sons of swift scoted coursers.*



C H A P. III.

Of the things that make an oration flat.

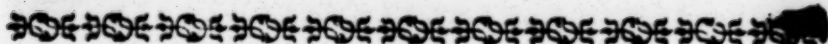
THE things that make an *oration flat*, or *insipid*, are four.

1. *Words compounded*; [and yet a man may compound a word, when the composition is necessary, for want of a simple word; and easy, and seldom used.]

2. *Foreign words*. As for example, such as are newly derived from the Latin; which though they were proper among them whose tongue it is, are foreign in another ~~language~~ language: and yet these may be used, so it be moderately.

3. *Long, impertinent, and often epithets*,

4. *Metaphors, indecent, and obscure*. *Obscure* they are, when they are far fetch'd. *Indecent* when they are *ridiculous*, as in *comedies*; or *too grave*, as in *tragedies*.



C H A P. IV.

Of a similitude.

A *Similitude* differs from a *metaphor* only by such *particles* of *comparison* as these, *as*, *even as*; *so*, *even so*, &c.

A *similitude* therefore is a *metaphor* *dilated*; and a *metaphor* is a *similitude* *contracted* into one word.

A *similitude* does well in an oration, so it be not too frequent; for it is *poetical*.

An example of a *similitude*, is this of *Pericles*; that said in his oration, *that the Bæotians were like to so many oaks in a wood, that did nothing but beat one another.*



C H A P. V.

Of the purity of language.

FOUR things are necessary to make language pure.

1. The *right rendring* of those *particles* which some *antecedent particle* does require: As to a *not only*, a *not also*; and then they are rendered right, when they are not suspended too long.

2. The

2. *The use of proper words*, rather than *circumlocutions*, unless there be motive to make one do it of purpose.

3. That ~~there~~ nothing of *double construction*, unless there be motive to make one do it to the purpose. As the *prophets* (of the heathen) who speak in general terms, to the end they may the better maintain the truth of their *prophecies*; which is easier maintained in *generals*, than in *particulars*: For it is easier to divine, whether a number be *even* or *odd*, than *how many*; and that a thing *will* be, than *what it will* be.

4. Concordance of gender, number, and person; as not to say him for her; man for men; hath for have.

In sum; a man's language ought to be easy for another to read, pronounce, and point.

Besides, to divers *antecedents*, let divers *relatives*, or one common to them all be correspondent; as, *He saw the colour; he heard the sound; or he perceived both colour and sound*: But by no means, *He heard or saw both*.

Lastly, that which is to be interposed by *parenthesis*, let it be done quickly; as *I purposed, having spoken to him (to this, and to this purpose) afterward to be gone*. For to put it off thus; *I resolved, after I had spoken to him, to be gone; but the subject of my speech was to this and this purpose*, is vicious.



C H A P. VI.

Of the amplitude and tenuity of language.

A Man shall add *amplitude*, or *dignity* to his language, but by such means as these.

1. By changing the *name* with the *definition* as occasion shall serve ; as, when the *name* shall be indecent, by using the *definition* ; or contrary.

2. By *metaphors*.

3. By using the *plural* number for the *singular*.

4. By *privative epithets*.



C H A P. VII.

Of the convenience or decency of elocution.

E Locutions are made *decent*.

1. By speaking *feelingly* ; that is, with such passion as is fit for the matter he is in ; as *angrily* in matter of *injury*.

2. By speaking as becomes the *person* of the *speaker* ; as for a *gentleman* to speak *eruditely*.

3. By speaking *proportionably* to the matter ; as of *great affairs* to speak in a *high* ; and of *mean*, in a *low* stile.

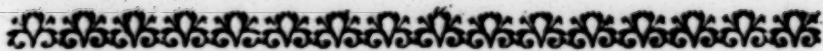
4. By

4. By abstaining from *compounded*, and from *out-landish words*; unless a man speak *passionately*, and have already moved, and, as it were, inebriated his hearers. Or *ironically*.

It confers also to persuasion very much to use these ordinary forms of speaking, *All men know*; *it is confessed by all*; *no man will deny*; and the like. For the hearer consents, surprized with the fear to be esteemed the only ignorant man.

It is good also, having used a word that signifies more than the matter requires, to abstain from the *pronunciation* and *countenance* that to such a word belongs; that the *disproportion* between it and the matter may the less appear. And when a man has said too much, it will shew well to correct himself: For he will get belief by seeming to consider what he says.

[But in this a man must have a care not to be too precise in shewing of this consideration. For the ostentation of carefulness is an argument oftentimes of lying; as may be observed in such as tell particularities not easily observed, when they would be thought to speak more precise truth than is required.]



C H A P. VIII.

Of two sorts of stiles.

THERE be two sorts of *stiles*.

The one *continued* or to be *comprehended at once*; the other *divided*, or *distinguished* by periods.

The first sort was in use with ancient writers; but is now out of date.

An example of this *kind* is in the history of *Herodotus*; wherein there is no period till the end of the whole history.

In the other kind of *stile*, that is distinguished by periods, a *period* is such a part as is perfect in itself; and has such length, as may be easily comprehended by the understanding.

This latter kind is pleasant; the former unpleasant; because this appears finite, the other infinite: In this the hearer has always somewhat set out, and terminated to him; in the other he foresees no end, and has nothing finished to him: This may easily be committed to memory, because of the measure and cadence (which is the reason that verses are more easily remembered) than prose.

Every sentence ought to end with the *period*, and nothing to be interposed.

Period

Period is either *simple*, or *divided* into parts.

Simple is that which is *indivisible*; as, *I wonder you fear not their ends, whose actions you imitate.*

A *period divided*, is that which not only has perfection and length convenient for respiration, but also *parts*; as, *I wonder you are not afraid of their ends, seeing you imitate their actions*: Where in these words, *I wonder you are not afraid of their ends*, is one colon or *part*; and in these, *seeing you imitate their actions*, another; and both together make the period.

The *parts*, or *members*, and *periods* of speech ought neither to be *too long*, nor *too short*.

Too long are they, which are produced beyond the expectation of the hearer.

Too short, are they that end before he expects it.

Those that be *too long*, leave the hearer behind, like him that walking, goes beyond the usual end of the walk, and thereby out-goes him that walks with him.

They that be *too short*, make the hearer stumble; for when he looks far before him, the end stops before he be aware.

A *period* that is *divided* into parts, is either *divided only*; or has also an *opposition* of the *parts* one to another.

Divided only is such as this: *This the senate knows; the consul sees; and yet the man lives.*

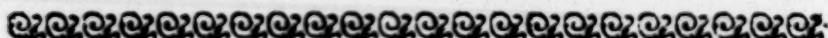
A *period* with *opposition of parts*, called also *antitbesis*, and the parts *antitbeta*, is when *contrary parts* are put together; or also joined by a third.

Contrary parts are put together, as here, *The one has obtained glory, the other riches ; both by my benefit.*

Antitbeta are therefore acceptable ; because not only the *parts* appear the better for the *opposition* ; but also for that they carry with them a certain appearance of that kind of *enthymeme*, which leads to *impossibility*.

Parts, or members of a period, are said to be *equal*, when they have altogether, or almost equal number of syllables.

Parts, or members of a period, are said to be *like*, when they *begin, or end* alike : And the more *similitudes*, and the greater *equality* there is of syllables, the more grateful is the period.



CHAP. IX.

Of those things that grace an oration, and make it delightful.

FOrasmuch as there is nothing more delightful to a man, than to find that he apprehends and learns easily ; it necessarily follows, that those *words* are most *grateful* to the ear, that make a man seem to see before his eyes the things signified.

And therefore *foreign words* are unpleasant, because obscure ; and *plain words*, because too manifest, making us learn nothing new ; but *metaphors*

taphors please ; for they beget in us by the *genus*, or by some *common* thing to that with another, a kind of *science* : As when an old man is called *stubble* ; a man suddenly learns that he grows up, flourisheth, and withers like grass, being put in mind of it by the qualities common to *stubble*, and to *old men*.

That which a *metaphor* does, a *similitude* does the same ; but with less *grace*, because with more *prolixity*

Such *enthymemes* are the most *graceful*, which neither are presently very manifest, nor yet very hard to be understood ; but are comprehended, while they are uttering, or presently after, tho' not understood before.

The things that make a speech *graceful*, are these : *Antitheta*, *metaphors*, and *animation*.

Of *antitheta*, and *antithesis* hath been spoken in the precedent chapter.

Of *metaphors* the most *graceful* is that which is drawn from *proportion*.

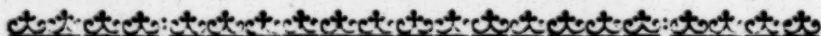
[*Aristotle* (in the 12th chapter of his *poetry*) defines a *metaphor* to be the translation of a name from one signification to another ; whereof he makes four kinds. 1. From the *general* to the *particular*. 2. From the *particular* to the *general*. 3. From one *particular* to another. 4. From *proportion*.

A metaphor from *proportion* is such as this : *A state without youth, is a summer without a spring.*

Animation is that expression which makes us seem to see the thing before our eyes ; as he that said, *The Athenians poured out their city into Sicily*, meaning, they sent thither the greatest army they could make ; and this is the greatest *grace* of an *oration*.

If therefore in the same sentence there concur both *metaphor*, and this *animation*, and also *antitbesis*, it cannot chuse but be very *graceful*.

That an *oration* is *graced* by *metaphor*, *animation* and *antitbesis*, hath been said : But how it is *graced*, is to be said in the next chapter.



C H A P. X.

*In what manner an oration is graced by the things
aforesaid.*

IT is *graced* by *animation*, when the actions of living creatures are attributed to things without life ; as when the sword is said to *devour*.

Such *metaphors* as these come into a man's mind by the observation of things that have similitude and proportion one to another. And the more unlike and unproportionable the things be otherwise, the more *grace* hath the *metaphor*.

A *metaphor* without *animation*, adds *grace* then, when the hearer finds he learns somewhat by such use of the word.

Also

Also *paradoxes* are *graceful*, so men inwardly do believe them : For they have in them somewhat like to those jests that are grounded upon the similitude of words, which have usually one sense, and in the present another ; and somewhat like to those jests which are grounded upon the deceiving of a man's expectation.

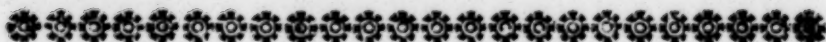
And *paragrams* ; that is, allusions of words are graceful, if they be well placed ; and in periods not too long ; and with *antitbesis* : For by these means the ambiguity is taken away.

And the more of these ; namely, *metaphor*, *animation*, *antitbesis*, *equality of members* a period hath, the more graceful it is.

Similitudes grace an *oration*, when they contain also a *metaphor*.

And *proverbs* are graceful, because they are *metaphors*, or translations from one *species* to another.

And *hyperboles*, because they also are *metaphors* : But they are youthful, and bewray vehemence ; and are used with most grace by them that be angry ; and for that cause are not comely in old men.



C H A P. XI.

Of the difference between the stile to be used in writing, and the stile to be used in pleading.

THE *stile* that should be read ought to be more exact and accurate.

But the *stile* of a *pleader* ought to be suited to action and pronounciation.

Orations of them that *plead*, pass away ~~with~~ with the hearing.

But those that are *written*, men carry about them, and are considered at leisure; and consequently must endure to be sifted and examined.

Written orations appear flat in *pleading*.

And *orations* made for the *bar*, when the action is away, appear in *reading* insipid.

In *written orations* repetition is justly condemned.

But in *pleadings*, by the help of action, and by some change in the *pleader*, repetition becomes amplification.

In *written orations* disjunctives do ill; as, *I came, I found him, I asked him*: For they seem superfluous, and but one thing, because they are not distinguished by action. But in *pleadings* it is amplification; because that which is but one thing, is made to seem many.

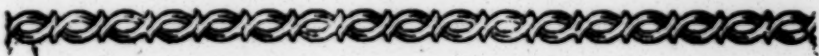
Of

. Of *pleadings*, that which is *judicial* ought to be more accurate, than that which is *before the people*.

And an *oration to the people* ought to be more accommodate to action, than a *judicial*.

And of *judicial orations*, that ought to be more accurate, which is uttered to *few judges*; and that ought to be more accommodate to action, which is uttered to *many*. As in a *picture*, the farther he stands off that beholds it, the less need there is that the colours be fine; So in *orations*, the farther the hearer stands off, the less need there is for his *oration* to be elegant.

Therefore *demonstrative orations* are most proper for *writing*, the end whereof is to be *read*.



C H A P. XII.

Of the parts of an oration, and their order

THE necessary *parts* of an *oration* are but two; *propositions*, and *proof*; which are as it were the *problem*, and *demonstration*.

The *proposition* is the explication, or opening of the matter to be *proved*.

And the *proof* is the *demonstration* of the matter *propounded*.

To these necessary *parts*, are sometimes added two other, the *procme* and the *epilogue*, neither of which are any *proof*.

So

So that in sum, there be four *parts* of an *oration*; the *proeme*, the *proposition*, or (as others call it) the *narration*, the *proofs* (which contain *confirmation*, *confutation*, *amplification*, and *diminution*) and the *epilogue*.



C H A P. XIII.

Of the proem.

THE *proem* is the beginning of an *oration*, and, as it were, the preparing of the way before one enter into it.

In some kinds of *orations* it resembles the *prelude* of *musicians*, who first play what they list, and afterwards the tune they intended.

In other kinds it resembles the *prologue* of a *play*, that contains the argument.

Proems of the first sort, are most proper for *demonstrative orations*; in which a man is free to foretell, or not, what points he will insist upon; and for the most part it is better not: Because when a man has not obliged himself to a certain matter, *digression* will seem *variety*: But if he have engaged himself, *variety* will be accounted *digression*.

In *demonstratives* the matter of the *proem* consisteth in the *praise* or *dispraise* of some *law* or *custom*, or in *exhortation*, or *dehortation*; or in some-

Something that serves to incline the hearer to the purpose.

Proems of the second kind are most proper for *judicial orations*. For as the *prologue* in a *dramatic*, and the *exordium* in an *epic* poem, setteth first in few words the argument of the poem: So in a *judicial oration*, the *orator* ought to exhibit a *model* of his *oration*, that the mind of the hearer may not be suspended, and for want of foresight, err or wander.

Whatsoever else belongs to a *proem*, is drawn from one of these four: From the *speaker*; from the *adversary*; from the *bearer*; or from the *matter*.

From the *speaker* and *adversary* are drawn into *proems* such criminations and purgations as belong not to the cause.

To the *defendant* it is necessary in the *proem* to answer to the accusations of his *adversary*; that those being cleared, he may have a more favourable entrance to the rest of his *oration*.

But to the *plaintiff* it is better to cast his criminations all into the *epilogue*, that the judge may the more easily remember them.

From the *bearer* and from the *matter* are drawn into the *proem* such things as serve to make the *bearer* favourable, or angry; attentive, or not attentive, as need shall require.

And *bearers* use to be attentive to *persons* that are reputed good; to things that are of great consequence, or that concern themselves, or that are strange, or that delight.

But

But to make the *bearer* attentive, is not the part of the *proem* only, but of any other part of the *oration*, and rather of any other part, than of the *proem*. For the *bearer* is every where more remiss than in the beginning. And therefore wheresoever there is need, the *orator* must make appear both the *probity* of his own *person*, and that the *matter* in hand is of *great consequence*; or that it concerns the *bearer*; or that it is *new*; or that it is *delightful*.

He that will have the *bearer* attentive to him, but not to the *cause*, must on the other side make it seem that the *matter* is a *trifle*, without relation to the *bearer* *common* and *tedious*.

That the *bearers* may be favourable to the *speaker*, one of two things is required; that he *love* him, or that he *pity* them.

In *demonstrative orations*, he that *praises* shall have the *bearer* favourable if he think himself, or his own manners, or course of life, or any thing he loves, comprehended in the same *praise*.

On the contrary he that *dispraises*, shall be heard favourably, if the *bearer* find his *enemies*, or *their curses*, or any thing he *bates*, involved in the same *dispraise*.

The *proem* of a *deliberative oration* is taken from the same things, from which are taken the *proems* of *judicial orations*. For the matter of a *deliberative oration* needeth not that natural *proem*, by which is shewn what we are to speak of; for that is already known: The *proem* in these, being made only for the *speaker's*, or *adversary's* sake;

fake; or to make the *matter* appear great, or little, as one would have it, and is therefore to be taken from the *persons* of the *plaintiff* or *defendant*; or from the *bearer*, or from the *matter*, as in *orations judicial*.



C H A P. XIV.

Places of crimination, and purgation.

1. **O**NE is from the removal of ill opinion in the hearer, imprinted in him by the adversary, or otherwise.

2. Another from this, that the thing done is not hurtful, or not to him, or not so much, or not unjust, or not great, or not dishonourable.

3. A third from the recompence, as, *I did him harm, but withal I did him honour.*

4. A fourth from the excuse; as, *it was error, mischance, or constraint.*

5. A fifth from the intention; as, *one thing was done, another meant.*

6. A sixth from the comprehension of the accuser; as, *what I have done, the accuser has done the same; or his father, kinsman, or friend.*

7. From the comprehension of those that are in reputation; as, *what I did, such, and such have done the same, who nevertheless are good men.*

8. From

8. From *comparison* with such as have been *falsly accused*, or *wrongfully suspected*, and nevertheless *found upright*.

9. From *recrimination*; as, *the accuser is a man of ill life, and therefore not to be believed*.

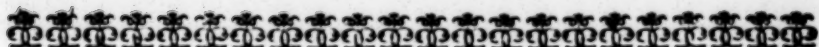
10. From that *the judgment belongs to another place, or time*; as, *I have already answered, or am to answer elsewhere to this matter*.

11. From *crimination of the crimination*; as, *it serves only to pervert judgment*.

12. A twelfth, which is common both to *crimination* and *purgation*, and is taken from the *same sign*; as *Teucer is not to be believed, because his mother was Priam's sister*. On the other side, *Teucer is to be believed, because his father was Priam's enemy*.

13. A thirteenth, proper to *crimination* only, from *praise and dispraise mix'd*; as, to praise small things, and blame great ones; or to praise in many words, and blame with effectual ones; or to praise many things that are good, and then add one evil, but a great one.

14. A fourteenth, coming both to *crimination* and *purgation*, is taken from the *interpretation of the fact*: For he that *purgeth* himself *interpreteth the fact* always in the best sense; and he that *criminales* always in the worst; as when *Ulysses* said, *Diomedes chose him for his companion, as the most able of the Grecians, to aid him in his exploit*: But his adversary said, *he chose him for his cowardize, as the most unlikely to share with him in the honour*.



C H A P. XV.

Of the narration.

THE *narration* is not always continued and of one piece; but sometimes, as in *Demonstratives*, interrupted, and dispersed through the whole *oration*.

For there being in a *narration* something that falls not under art; as namely, the actions themselves, which the *orator* inventeth not; he must therefore bring in the *narration* of them where he best may. As for example, if being to praise a man, you would make a *narration* of all his acts immediately from the beginning, and without interruption, you will find it necessary afterwards to repeat the same acts again, while from some of them you praise his valour, and from others his wisdom; whereby your *oration* shall have less variety, and shall less please.

'Tis not necessary always that the *narration* be short. The true *measure* of it must be taken from the *matter* that is to be laid open.

In the *narration*, as often as may be, 'tis good to insert somewhat commendable in one's self, and blameable in one's adversary: As, *I advised him, but he would take no counsel.*

In *narrations*, a man is to leave out whatsoever breeds compassion, indignation in the hearer besides

besides the purpose; as *Ulysses* in *Homer*, relating his travels to *Alcinous*, to move compassion in him, is so long in it, that it consists of divers books: But when he comes home, tells the same to his wife in thirty verses, leaving out what might make her sad.

The *narration* ought also to be in such words as argue the *manners*; that is, some virtuous or vicious habit in him of whom we speak, although it be not express'd; as, *setting his arms a kenbold, he answered*, &c. by which is insinuated the pride of him that so answered.

In an *oration* a man does better to shew his affection than his judgment: This is, it is better to say, *I like this*; than to say, *this is better*. For by the one you would seem *wise*, by the other *good*. But *favour* follows *goodness*; whereas *wisdom* procures *envy*.

But if this affection seem incredible, then either a reason must be rendered as did *Antigone*. For when she had said, *she loved her brother better than her husband, or children*; she added, *for husband and children I may have more; but another brother I cannot, my parents being both dead*. Or else a man must use this form of speaking; *I know this affection of mine seems strange to you; but nevertheless it is such*. For it is not easily believed, than any man has a mind to do any thing that is not for his own good.

Besides in a *narration*, not only the actions themselves; but the passions, and signs that accompany them, are to be discovered.

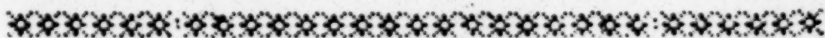
And

And in his *narration* a man should make himself and his adversary be considered for such, and such, as soon, and as covertly as he can.

A *narration* may have need sometimes not to be in the beginning.

In *deliberative orations*; that is, wheresoever the question is of things to come; a *narration*, which is always of things past, has no place; and yet things past may be recounted, that men may *deliberate* better of the future: But that is not as *narration*, but *proof*; for it is *example*.

There may also be *narration* in *deliberatives* in that part where *crimination* and *praise* come in: But that part is not *deliberative*, but *demonstrative*.



C H A P. XVI.

Of proof, or confirmation, and refutation.

P*roofs* are to be applyed to something controverted.

The controversy in *judicial orations* is, *Whether it has been done; whether it has been hurtful; whether the matter be so great, and whether it be just, or no.*

In a question of *fact*, one of the parties of necessity is faulty (for ignorance of the *fact* is no excuse) and therefore the *fact* is chiefly to be insisted on.

In *demonstratives*, the *fact* for the most part is supposed; but the *honour* and *profit* of the *fact* are to be *proved*.

In *deliberatives*, the question is, whether the thing be *like to be*, or *likely to be so great*; or whether it be *just*; or whether it be *profitable*.

Besides the application of the *proof* to the question, a man ought to observe, whether his adversary have lied in any point without the cause. For it is a sign he does the same in the cause.

The *proofs* themselves are either *examples*, or *enthymemes*.

A *deliberative oration*, because it is of things to come, requireth rather *examples*, than *enthymemes*.

But a *judicial oration*, being of things past, which have a necessity in them, and may be concluded *sylogistically*, requireth rather *enthymemes*.

Entnymemes ought not to come too thick together: For they hinder one another's force by confounding the hearer.

Nor ought a man endeavour to *prove* every thing by *enthymeme*, least like some *philosophers*, he collect what is *known*, from what is *less known*.

Nor ought a man to use *enthymemes*, when he would move the hearer to some affection: For seeing divers motions do mutually destroy or weaken one another, he will lose either the *enthymeme*, or the *affection* that he would move.

For

For the same reason, a man ought not to use *enthymemes* when he would express *manners*.

But whether he would move *affection*, or insinuate his *manners*, he may withal use *sentences*.

A *deliberative oration* is more difficult than a *judicial*, because it is of the *future*, whereas a *judicial* is of that which is *past*, and that consequently may be known; and because it has *principles*, namely the *law*; and it is easier to *prove* from *principles*, than without.

Besides, a *deliberative oration* wants those helps of *turning to the adversary*, of *speaking of himself*; of *raising passion*.

He therefore that wants matter in a *deliberative oration*, let him bring in some *person* to *praise* or *dispraise*.

And in *demonstratives* he that has nothing to say in *commendation* or *discommendation* of the *principal party*, let him *praise* or *dispraise* somebody else, as his *father*, or *kinsman*, or the very *virtues* or *vices* themselves.

He that wants not *proofs*, let him not only *prove* strongly, but also insinuate his *manners*: But he that has no *proof*, let him nevertheless insinuate his *manners*. For a *good man* is as acceptable, as an exact *oration*.

Of *proofs*, those that *lead to an absurdity*, please better than those that are *direct* or *ostensive*; because from the comparison of contraries, namely, *truth* and *falsety*, the force of the *syllogisme* does the better appear.

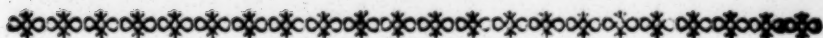
Confutation is also a part of *proof*.

And he that speaks first, puts it after his own *proofs*, unless the controversy contain many and different matters. And he that speaks last, puts it before.

For it is necessary to make way for his own *oration*, by removing the objections of him that spake before. For the mind abhors both the *man*, and his *oration*, that is damned before hand.

If a man desire his *manners* should appear well, (least speaking of himself he become odious, or troublesome, or obnoxious to obtrection; or speaking of another, he seem contumelious, or scurrilous) let him introduce another person.

Last of all, least he cloy his hearer with *enthymemes*, let him vary them sometimes with *sentences*; but such as have the same force. As here is an *enthymeme*. *If it be then the best time to make peace when the best conditions of peace may be had, than the time is now, while our fortune is entire.* And this is a *sentence* of equal force to it. *Wise men make peace, while their fortune is entire.*



C H A P. XVII.

Of interrogations, answers and jests.

THE times wherein it is fit to ask one's adversary a *question* are chiefly four.

1. The first is, when of two propositions that conclude an absurdity, he has already uttered one; and we would by *interrogation* draw him to confess the other.

2. The second, when of two propositions that conclude an absurdity, one is manifest of itself, and the other likely to be fetched out by a *question*; then the *interrogation* is seasonable; and the absurd conclusion is presently to be inferred, without adding that proposition which is manifest.

3. The third, when a man would make appear that his adversary does contradict himself.

4. The fourth, when a man would take from his adversary such shifts as these, *In some sort it is so; in some sort it is not so.*

Out of these cases it is not fit to *interrogate*.

For he whose *question* succeeds not, is thought vanquished.

To equivocal *questions* a man ought to *answer* fully, and not to be brief.

To *interrogations* which we foresee tend to draw from us an *answer*, contrary to our purpose,

pose, we must, together with our *answer*, presently give an *answer* to the objection which is implied in the *question*.

And where the *question* exacteth an *answer* that concludeth against us, we must, together with our *answer*, presently *distinguish*.

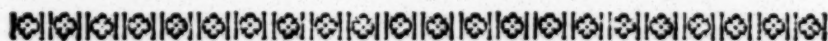
Jests are dissolved by serious and grave discourse: And grave discourse is deluded by *jests*.

The several kinds of *jests* are set down in the *Art of Poetry*.

Whereof one kind is *ironia*, and tends to please one's self.

The other is *scurrility*, and tends to please others.

The latter of these has in it a kind of baseness: The former may become a man of good breeding.



C H A P. XVIII.

Of the epilogue.

THE *epilogue* must consist of one of these four things.

Either of *inclining* the judge to *favour* his own, or *disfavour* the adversary's side: For then when all is said in the cause, is the best season to *praise*, or *dispraise* the parties.

Or of *amplification* or *diminution*. For when it appears what is good or evil, then is the time to shew

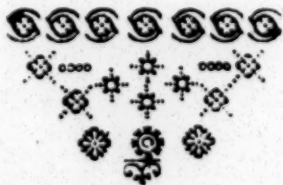
shew *how* great, or *how* little that good or evil is.

Or in moving the judge to *anger*, *love*, or other *passion*. For when it is manifest of what kind, and how great the good or evil is, then it will be opportune to *excite* the judge.

Or of *repetition*, that the judge may remember what has been said.

Repetition consisteth in the *matter*, and the *manner*. For the *orator* must shew, that he has performed *what* he promised in the beginning of his *oration*, and *how*: Namely, by comparing his arguments one by one with his adversary's, repeating them in the same order they were spoken.

F I N I S.



187

WATERBURY



1
12
13
14
15
16

Book 1

1	In what the Art of Rhetorick consists	1
2	The Definition of Rhetorick	3
3	Of the several kinds of Orations: and	4
4	of the Principles of Rhetorick	5
5	Of the subject of Deliberatives and	5
6	the Duties that are required of	5
7	him that will deliberate of Business	5
8	of State	5
9	Of the ends which the Orator in	7
10	Deliberatives propoundeth	7
11	whereby to exhort or deter	7
12	Of the colours or common opinions	10
13	concerning good & evil	10
14	Of the colours or common opinions	12
15	concerning good & evil comparatively	12
16	Of the several kinds of Government	16
17	Of the colours of honourable and	10
18	dishonourable	10
19	Of accusation and defence with the	22
20	Definition of Injury	22
21	Of the colours or common opinions	24
22	concerning Pleasure	24
23	Presumptions of Injury drawn	26
24	from the Persons that do it, or	26
25	common opinions concerning the	26
26	opulence of Persons to do Injury	26
27	Presumptions of Injury drawn from	28
28	the Persons that suffer, and from the	28
29	matter of the Injury	28
30	Of those things which are necessary	30
31	to be known for the Definition of	30
32	just & unjust	30
33	Of the colours or common opinions	32
34	concerning Injuries comparatively	32
35	Of Proofs medicinal viz.	33

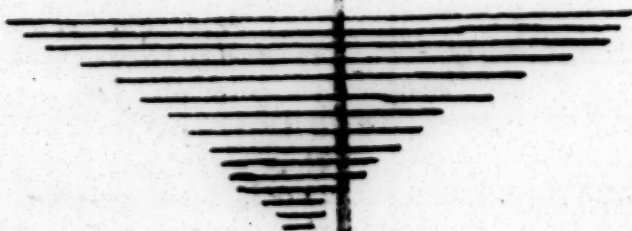
Laws
Witnesses
Evidences
Tortures
Oaths

Book 2

1	The Introduction	1
2	Of Anger	2
3	Of exhorting or pacifying Anger	3
4	Of Love and Friends	4
5	Of Enmity and Hatred	5
6	Of Fear	6
7	Of Assurance	7
8	Of Shame	8
9	Of Grace or Favour	9
10	Of Pity or Compassion	10
11	Of Indignation	11
12	Of Envy	12
13	Of Emulation	13
14	Of the manners of Youth	14
15	Of the manners of Old Men	15
16	Of the manners of Middle-aged	16
17	Men	16
18	Of the manners of the Nobility	17
19	Of the manners of the Rich	18
20	Of the manners of Men in Power	19
21	and of such as Prosper	19
22	Common places or Principles	20
23	concerning what may be done	20
24	what has been done and what	20
25	shall be done; or of Fact, possible	20
26	past and future - Also of	20
27	great and little	20
28	Of Example, Similitude & Fables	21
29	Of a Sentence	22
30	Of the invention of Enthymemes	23
31	Of the places of Enthymemes	24
32	Of the places of Enthymemes that	25
33	lead to impossibility	25
34	Of the places of Enthymemes	26
35	Of the ways to answer the Arguments	27
36	the Answer	27
37	Of Amplification & Enumeration	28
38	Of the places of Amplification	28
39	Of the places of Enumeration	29
40	Of the places of Amplification	29
41	Of the places of Enumeration	30
42	Of the places of Amplification	30
43	Of the places of Enumeration	31
44	Of the places of Amplification	31
45	Of the places of Enumeration	32
46	Of the places of Amplification	32
47	Of the places of Enumeration	33
48	Of the places of Amplification	33
49	Of the places of Enumeration	34
50	Of the places of Amplification	34
51	Of the places of Enumeration	35
52	Of the places of Amplification	35
53	Of the places of Enumeration	36
54	Of the places of Amplification	36
55	Of the places of Enumeration	37
56	Of the places of Amplification	37
57	Of the places of Enumeration	38
58	Of the places of Amplification	38
59	Of the places of Enumeration	39
60	Of the places of Amplification	39
61	Of the places of Enumeration	40
62	Of the places of Amplification	40
63	Of the places of Enumeration	41
64	Of the places of Amplification	41
65	Of the places of Enumeration	42
66	Of the places of Amplification	42
67	Of the places of Enumeration	43
68	Of the places of Amplification	43
69	Of the places of Enumeration	44
70	Of the places of Amplification	44
71	Of the places of Enumeration	45
72	Of the places of Amplification	45
73	Of the places of Enumeration	46
74	Of the places of Amplification	46
75	Of the places of Enumeration	47
76	Of the places of Amplification	47
77	Of the places of Enumeration	48
78	Of the places of Amplification	48
79	Of the places of Enumeration	49
80	Of the places of Amplification	49
81	Of the places of Enumeration	50
82	Of the places of Amplification	50
83	Of the places of Enumeration	51
84	Of the places of Amplification	51
85	Of the places of Enumeration	52
86	Of the places of Amplification	52
87	Of the places of Enumeration	53
88	Of the places of Amplification	53
89	Of the places of Enumeration	54
90	Of the places of Amplification	54
91	Of the places of Enumeration	55
92	Of the places of Amplification	55
93	Of the places of Enumeration	56
94	Of the places of Amplification	56
95	Of the places of Enumeration	57
96	Of the places of Amplification	57
97	Of the places of Enumeration	58
98	Of the places of Amplification	58
99	Of the places of Enumeration	59
100	Of the places of Amplification	59

Book 3.^t

	P.	Chap.		P.
1 Of the Original of Elocution and Pronunciation - - - }	89	10	In what manner an Oration is guided by the things aforesaid - - -	102
2 Of the Choice of Words and Epithets - - - }	91	11	Of the Difference between the stile to be used in writing & the stile to be used in pleading - - - }	10A
3 Of the things that make an Oration flat - - - }	93	12	Of the parts of an Oration & their Order - - - }	105
4 Of a Similitude - - - }	94	13	Of the Proem - - - }	106
5 Of the Purity of Language - - - }	94	14	Places of Crimination & Purgation - - - }	109
6 Of the Amplitude and terseness of Language - - - }	96	15	Of the Narration - - - }	111
7 Of the convenience or decency of Elocution - - - }	96	16	Of Proof, or Confirmation & Refutation - - - }	113
8 Of two sorts of Stiles - - - }	98	17	Of Interrogations, Answers and Jests - - - }	117
9 Of those things that grace an Oration and make it delightful - - - }	100	18	Of the Epilogue - - - }	118



5
6
9
1
3
7
16